

AMENDED IN SENATE APRIL 27, 2015

SENATE BILL

No. 112

Introduced by Senator Roth

January 12, 2015

An act to ~~amend Section 713~~ add Chapter 6 (commencing with Section 1860) to Division 8 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

SB 112, as amended, Roth. ~~Department of Veterans Affairs: use of real property. Veterans.~~

Existing law establishes within state government a Department of Veterans Affairs. Existing law provides for a variety of state benefits to veterans, including those relating to educational assistance and farm and home purchases, as specified.

This bill would establish a California Veterans' Bill of Rights. The bill would proclaim the rights of veterans in the State of California, including, among others, that veterans have the right to be treated with dignity and respect, and have the right to housing, education, job training, and physical and mental health services, as prescribed.

~~Existing law requires the Department of Veterans Affairs, by July 1, 2016, to create a prioritized list of unused or underutilized nonresidential real property owned by the department, and to propose one or more potential uses that will benefit California veterans, as specified.~~

~~This bill would make a technical, nonsubstantive change to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature hereby finds and declares all of*
 2 *the following:*

3 *(a) California has the highest veteran population of any state*
 4 *in the union.*

5 *(b) Veterans are deserving of our highest gratitude for their*
 6 *selfless service and sacrifice.*

7 *(c) To that end, it is necessary that the Legislature establish a*
 8 *California Veterans' Bill of Rights.*

9 *SEC. 2. Chapter 6 (commencing with Section 1860) is added*
 10 *to Division 8 of the Military and Veterans Code, to read:*

11
 12 *CHAPTER 6. CALIFORNIA VETERANS' BILL OF RIGHTS*

13
 14 *1860. There is hereby established a California Veterans' Bill*
 15 *of Rights, as set forth in this chapter.*

16 *1862. Veterans in the State of California shall have all of the*
 17 *following rights:*

18 *(a) Veterans shall have the right to be treated with dignity and*
 19 *respect and to receive accurate, courteous, and timely service in*
 20 *all of their contacts with the Department of Veterans Affairs.*

21 *(b) Veterans shall have the right to receive fair and equal*
 22 *treatment, irrespective of rank, position, or status, and shall be*
 23 *treated with tact, comprehension, and understanding.*

24 *(c) Veterans shall have the right to be involved in the decisions*
 25 *affecting their care and the formulation of programs and benefits*
 26 *that affect their daily lives.*

27 *(d) Veterans, both current and transitioning active duty military*
 28 *service members who are likely to be California veterans, shall*
 29 *have the right to be informed of all programs and benefits for*
 30 *which they are eligible.*

31 *(e) Veterans shall have the right to file an application for*
 32 *benefits at any time and shall have the right to receive a written*
 33 *notice and explanation of the approval or denial of their*
 34 *application for benefits.*

35 *(f) Veterans shall have the right to be provided with equal*
 36 *benefits in any part of the state in which they, their spouses,*
 37 *domestic partners, or their dependents reside. Geographical*

1 *location shall not determine the quality or level of service or care*
2 *provided.*

3 *(g) Veterans shall have the right to adequate, safe, and reliable*
4 *housing.*

5 *(h) Veterans shall have the right to the education and job*
6 *training they require to secure gainful civilian employment.*

7 *(i) Veterans shall have the right to receive the physical and*
8 *mental health services they require as a result of their service.*
9 *Veterans shall have a right to receive these services free from fear*
10 *of retaliation or stigma. State and local mental health services*
11 *shall not be negatively impacted or withheld due to veteran status.*

12 *(j) Veterans shall have the right to refuse services or benefits*
13 *without fear of retaliation or stigma. In that respect, no veteran*
14 *shall be compelled to decline services or benefits against his or*
15 *her will, and every reasonable effort shall be made to connect*
16 *veterans with the services and benefits to which they are rightfully*
17 *entitled.*

18 *1864. The rights prescribed pursuant to this chapter are not*
19 *exhaustive, and nothing in this chapter shall be construed to limit*
20 *the rights of veterans. Instead, the rights prescribed pursuant to*
21 *this chapter shall establish the minimum rights every veteran shall*
22 *enjoy as a resident of the State of California. When applicable,*
23 *veterans' spouses, domestic partners, and dependents shall also*
24 *be entitled to these rights.*

25 ~~SECTION 1. Section 713 of the Military and Veterans Code~~
26 ~~is amended to read:~~

27 ~~713. (a) By July 1, 2016, the department shall do both of the~~
28 ~~following:~~

29 ~~(1) Create a list of unused or underutilized nonresidential real~~
30 ~~property owned by the department, including property on or near~~
31 ~~the premises of existing department facilities.~~

32 ~~(2) Propose one or more potential uses of those properties that~~
33 ~~will benefit California veterans and make a preferred~~
34 ~~recommendation for use of each property, and in doing so, consider~~
35 ~~uses including, but not limited to, the following services for~~
36 ~~veterans:~~

37 ~~(A) Housing.~~

38 ~~(B) Supportive services.~~

39 ~~(C) Health care and mental health care.~~

- 1 ~~(b) When identifying the unused or underutilized nonresidential~~
- 2 ~~real properties, the department shall consider its inventory of~~
- 3 ~~properties as an integrated system, and shall address how~~
- 4 ~~prospective uses of the properties could complement each other.~~
- 5 ~~(c) The list of options shall be structured as a prioritized list of~~
- 6 ~~projects determined by the department to constitute appropriate~~
- 7 ~~uses for the properties identified in the list.~~
- 8 ~~(d) The Legislature finds and declares that after a use option~~
- 9 ~~for a given location is identified pursuant to this section, further~~
- 10 ~~study and evaluation may be necessary in order to fully determine~~
- 11 ~~the feasibility of that use option and take steps toward its~~
- 12 ~~implementation.~~