

AMENDED IN SENATE JANUARY 13, 2016

AMENDED IN SENATE APRIL 27, 2015

SENATE BILL

No. 112

Introduced by Senator Roth

January 12, 2015

An act to 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. ~~Veterans~~—*California Veterans' Bill of Rights*.

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, *understanding*, and respect, and have the right to housing, education, job training, and physical and mental health services, as prescribed.

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:

1 (a) *With over two million veterans, California has the highest*
 2 *veteran population of any state in the union. California's veteran*
 3 *population faces disproportionately high levels of homelessness*
 4 *and unemployment. Many veterans suffer from the effects of combat*
 5 *injuries, and many others suffer from combat-related psychological*
 6 *trauma that manifests itself in mental health disorders.*

7 (b) *Veterans are deserving of our highest gratitude for their*
 8 *selfless service and sacrifice, and are further deserving*
 9 *of the utmost treatment and care upon returning home. Upon*
 10 *discharge, the initial period of transition to civilian life is critical*
 11 *to successful reintegration, and identifying active duty military*
 12 *service members who are transitioning to civilian life in California*
 13 *is important to actively increasing the standard of living for current*
 14 *and future veterans in need of assistance.*

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

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

19
 20 CHAPTER 6. CALIFORNIA VETERANS' BILL OF RIGHTS

21
 22 1860. There is hereby established a California Veterans' Bill
 23 of Rights, as set forth in this chapter.

24 1862. Veterans in the State of California shall have all of the
 25 following rights:

26 (a) *Veterans shall have the right to be treated with dignity and*
 27 *respect and to receive accurate, courteous, and timely service in*
 28 *all of their contacts with the Department of Veterans Affairs.*
 29 *Affairs and any other state agency that administers programs that*
 30 *serve veterans.*

31 (b) *Veterans shall have the right to receive fair and equal*
 32 *treatment, irrespective of rank, position, or status, and shall be*
 33 *treated with tact, comprehension, and understanding.*
 34 *in their contacts with government agencies or private entities*
 35 *contracted with government entities to provide services to veteran*
 36 *populations.*

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

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

5 (e) Veterans shall have the right to file an application for benefits
6 at any time and shall have the right to receive a written notice and
7 explanation of the approval or denial of their application for
8 benefits.

9 (f) Veterans shall have the right to be provided with equal
10 benefits in any part of the state in which they, their spouses,
11 domestic partners, or their dependents reside. Geographical location
12 shall not determine the quality or level of service or care provided.

13 (g) ~~Veterans~~ *(1) When housed in state or local veterans housing*
14 *or housing provided by private groups contracting to receive state*
15 *funds for housing veterans, veterans* shall have the right to
16 adequate, safe, and reliable housing.

17 *(2) Veterans shall have the right to housing that provides*
18 *adequate and appropriate mental health and transitional support*
19 *services, including counseling, employment training, and substance*
20 *abuse treatment.*

21 (h) Veterans shall have the right to the education and job training
22 they require to secure ~~gainful~~ civilian employment.

23 (i) Veterans shall have the right to receive the physical and
24 mental health services they require as a result of their service.
25 Veterans shall have a right to receive these services free from fear
26 of retaliation or stigma. *Physical and mental health services shall*
27 *not be negatively impacted or withheld from a person due solely*
28 *to his or her veteran status.* State and local mental health services
29 shall not be negatively impacted or withheld *from a person* due to
30 *his or her* veteran status.

31 (j) Veterans shall have the right to ~~refuse~~ *receive* services or
32 benefits without fear of retaliation or stigma. In that respect, no
33 veteran shall be compelled to decline services or benefits against
34 his or her will, and every reasonable effort shall be made to connect
35 veterans with the services and benefits to which they are rightfully
36 entitled.

37 1864. The rights prescribed pursuant to this chapter are not
38 exhaustive, and nothing in this chapter shall be construed to limit
39 the rights of veterans. Instead, the rights prescribed pursuant to
40 this chapter shall establish the minimum rights every veteran shall

- 1 enjoy as a resident of the State of California. When applicable,
- 2 veterans' spouses, domestic partners, and dependents shall also
- 3 be entitled to these rights.