

HOUSE BILL REPORT

ESHB 1213

As Passed House:
February 17, 2016

Title: An act relating to the definition of veteran for the purposes of the county veterans assistance fund.

Brief Description: Concerning the definition of veteran for the purposes of the county veterans assistance fund.

Sponsors: House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Orwall, Klippert, MacEwen, Moeller, Hayes, Moscoso, Ormsby, Muri, Kilduff and Tarleton).

Brief History:

Committee Activity:

Community Development, Housing & Tribal Affairs: 1/27/15, 2/2/15 [DPS].

Floor Activity:

Passed House: 2/17/16, 98-0.

Brief Summary of Engrossed Substitute Bill

- Modifies the definitions of "veteran" and "family" for the purposes of the Veterans' Assistance Fund.

HOUSE COMMITTEE ON COMMUNITY DEVELOPMENT, HOUSING & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Appleton, Hawkins, Sawyer and Van De Wege.

Staff: Sean Flynn (786-7124).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Veterans' Assistance Program.

In 2005 the Legislature required each county to establish a Veterans' Assistance Program (VAP) to provide relief for indigent veterans and their families. Under the VAP, a county must provide funding for qualifying indigent and suffering veterans, or family members. The county must consult with and solicit recommendations from the local veterans' advisory board to determine the appropriate services needed for local indigent veterans. Counties also must pay for the burial or cremation costs of indigent veterans and their families.

Veterans' Assistance Fund.

County VAP funding is established in a Veterans' Assistance Fund (Fund). The Legislature has authorized counties to levy taxes for the Fund. The Fund may be used for the VAPs, the burial or cremation of indigent veterans or their families, and direct or indirect costs of the administration of the Fund.

For purposes of qualifying for veterans' assistance funding, "family" means: (1) the spouse or domestic partner; (2) the surviving spouse; (3) the surviving domestic partner; and (4) dependent children of a living or deceased veteran. The definition of "veteran" includes: (1) active service members who have served in an armed conflict; and (2) members of the Armed Forces Reserves, or National Guard, who have received an honorable or medical discharge and have fulfilled their military service obligations. A county may extend VAP services to any service member who has received a general discharge under honorable conditions or a medical discharge. Indigent status is determined by each county, based on public assistance received, income level, or ability to afford basic needs.

Summary of Engrossed Substitute Bill:

The definition of "family" for purposes of the Veterans' Assistance Fund (Fund) is modified to also apply to spouses, surviving domestic partners, and dependent children of service members who were killed in the line of duty regardless of the number of days served.

The definition for "veteran" is defined solely for the purposes of the Fund, as a person who served in active duty with any branch of service and:

- served at least 180 days and was released with an honorable discharge;
- received an honorable or general under honorable characterization of service with a medical reason, regardless of days served;
- received an honorable discharge and has received a rating for a service connected disability from the United States Department of Veteran's Affairs, regardless of days served;
- current members honorably serving in the Armed Forces Reserves or National Guard who were activated by presidential call for purposes other than training; or
- a former member of the Armed Forces Reserves, or National Guard who was released with an honorable discharge before his or her term ended or after fulfilling his or her initial service obligation.

Counties have the discretion to expand the eligibility for purpose of the Fund, which includes serving veterans with additional discharge characterizations.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) There are issues around the complexities of the definition of "veteran" for the purposes of Veterans' Assistance Fund eligibility. Currently, veterans have to look to three different definitions. The goal is to not change the definition, but instead to streamline the definition of "veteran" and to be more consistent with federal definitions.

(Opposed) None.

Persons Testifying: Representative Orwall, prime sponsor, and Heidi Audette, Washington State Department of Veterans Affairs.

Persons Signed In To Testify But Not Testifying: None.