



California State Senate

Committee on Military and Veterans Affairs

Bob Archuleta, Chair • Shannon Grove, Vice Chair

2021 Legislative Summary & Status

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OUR MISSION

To honor, legislate and advocate on behalf of all who have worn our nation's military uniform and defended our nation – past, present, and future.

Introduction

The Senate Committee on Military & Veterans Affairs has jurisdiction on all bills pertaining to veterans, military affairs, and armories; and bills amending the state's Military and Veterans Code. The Committee also has oversight of all programs managed by the California Department of Veterans Affairs (CalVet) and the California Military Department (CMD).

This report provides a quick synopsis of bills considered by the Committee during the 2021 Legislative Session and is not intended to provide a comprehensive analysis of the bill. Bills that were passed by the Legislature and became law are followed by the chapter number and year enacted. For bills that did not become law, the last location of the bill in the legislative process is shown. Veto messages are included for bills vetoed by Governor Gavin Newsom.

On March 4, 2020, Governor Newsom declared a statewide State of Emergency due to the COVID-19 pandemic. This was followed by a series of executive orders and instructions intended to reduce exposure to the coronavirus throughout 2020-21. The Legislature took action to control the spread of the COVID-19 virus, including modifying normal legislative protocols and timelines. As a result, some bills that were referred to the Committee were not heard.

An electronic copy of this report is available under "Publications" on the Committee's web page at <https://svet.senate.ca.gov/>. Copies of bill analyses prepared by the Committee may be obtained at <https://leginfo.legislature.ca.gov/>.

SENATE BILLS

SB 43 (Umberg) Veteran cemetery: County of Orange

This bill would delete specific site selection requirements and would instead require the department to acquire, study, design, develop, construct, and equip a state-owned and state-operated Southern California Veterans Cemetery in the City of Irvine, as specified.

Assembly-In Committee – Military and Veterans Affairs

SB 348 (Grove) Veterans' homes: closure

This bill, would, in the event the department recommends or proposes to close a veterans' home, require the Secretary of Veterans Affairs to convene a taskforce that includes representatives from the department, elected officials from the community where the home is located, residents of the home, staff employed at the home, and local veterans groups. The bill would require the taskforce to conduct a review of the proposed closure and submit recommendations regarding the proposed closure of the veterans' home to the Legislature.

Assembly Appropriations. Held in committee and under submission

SB 352 (Eggman) The military: sexual harassment

This bill establishes that an offense of sexual harassment by a member of the active militia is punishable by specified military proceedings or by a court-martial, requires the California Military Department (CMD) to report aggregate annual statistics regarding the prevalence of sexual harassment, and clarifies that crimes (including sexual crimes) committed while on active duty are not protected from civil or criminal liability.

Chaptered. Chapter 183, Statutes of 2021.

SB 498 (Umberg) Funds for the provision of legal services to indigent persons: disabled veterans

This bill expands the definition of "indigent person" by increasing one measure of income eligibility from 125% to 200% of a specified poverty threshold. The bill would further require, for the purpose of that definition, that the income of a person who is disabled be determined after deducting disability compensation from the United States Veterans Administration paid to a veteran with a service-related disability. The bill would also include disabled veterans within special client groups for purposes of the certain other projects that may qualify for funds. The

bill would also state the intent of the Legislature relating to the distribution of funds for the provision of legal services to indigent persons, as described.

Chaptered. Chapter 688, Statutes of 2021.

SB 614 (Archuleta) California Military Department Support Funds activities

This bill specifies an agreement between the California Military Department (CMD) and a nonprofit military or veteran foundation to conduct CMD Support Fund activities may be in the form of a memorandum of agreement (MOA), and authorizes the CMD to expend money in the CMD Support Fund for the sole purpose of supporting CMD Support Fund activities if that money was donated for those purposes.

Chaptered. Chapter 184, Statutes of 2021.

SB 658 (Grove) Property tax: exemptions: disabled veterans

This bill, for property tax lien dates occurring on or after January 1, 2022, would provide a partial exemption for property owned by, and that constitutes the principal place of residence of, a veteran who is partially disabled, as defined, or the veteran's spouse or the veteran and the veteran's spouse jointly, under these provisions. The bill would require that the amount of partial exemption provided be the percentage of the full amount of exemption, as described above, equivalent to the partially disabled veteran's disability rating percentage by the United States Department of Veterans Affairs or the military service from which the veteran was discharged, as applicable.

Senate Appropriations. Held in committee and under submission.

SB 661 (Newman) Veterans' farm and home loan program

This bill authorizes the California Department of Veterans Affairs (CalVet) to refinance existing CalVet Home Loan Program mortgages under specified conditions, authorizes the Secretary of Veterans Affairs (Secretary of CalVet) to delegate specified duties to a proxy, qualifies service members of the California National Guard or a reserve component of any branch of the United States armed forces who has completed not less than a six-year commitment and was released under honorable conditions, and modifies definitions for specified properties to meet CalVet standards.

Chaptered. Chapter 549, Statutes of 2021.

SB 665 (Umbert) **Employment policy: voluntary veterans' preference**

This bill would enact the Voluntary Veterans' Preference Employment Policy Act to authorize a private employer to establish a voluntary veterans' preference employment policy for hiring and retaining veterans without deeming it discriminatory under local and state equal employment opportunity laws and the Fair Employment and Housing Act (FEHA).

The Governor's message states that this bill allows private employers to create a temporary veterans' preference for hiring and deems these policies as not violating anti-discrimination laws, until January 1, 2028. While honoring and assisting veterans are vitally important goals of the Administration, there is concern the veterans' preference policies that would be permitted by this legislation could negatively impact employment opportunities for women and other protected groups underrepresented among veterans, such as people with disabilities.

Senate-Vetoed by the Governor

SB 667 (Roth) **Property taxation: disabled veterans' exemption: claims: executor and administrator of claimant's estate**

This bill allows the executor, administrator, or personal legal representative of a claimant's estate to file a claim for the disabled veterans' exemption.

Chaptered. Chapter 430, Statutes of 2021.

SB 745 (Newman) **California Veterans Board**

This bill would state that the board is a separate and independent entity from the department. The bill would require the board to independently advise the department and secretary on policies for operations of the department. The bill would authorize the board, in conducting an independent hearing of a veteran appeal of a decision from the department, to be supported by department staff, as specified. The bill would require the board to be assisted by independent counsel during the hearing.

Senate-In Committee Process – Military and Veterans Affairs

SJR 3 (Archuleta) **Battleship: USS Iowa**

This measure urges the United States Congress to pass, and the President of the United States to sign, the Battleship USS Iowa National Museum of the Surface Navy Act of 2021.

Chaptered. Chapter 129, Statutes of 2021.

ASSEMBLY BILLS

AB 107 (Salas)

Licensure: veterans and military spouses

This bill expands, commencing 2023, an existing requirement for certain programs within the Department of Consumer Affairs (DCA) to issue temporary licenses to qualified military spouses to instead require all DCA boards to issue temporary licenses within 30 days of receiving documentation that the applicant has met specified requirements, except for those boards that already have an equivalent process.

This bill exempts the Board of Psychology from creating a new temporary license program by authorizing a psychologist certified or licensed in another state or Canadian province who is a military spouse and has applied for licensure to practice without a valid license for a period not to exceed 12 months or from the commencement of residency in this state, whichever occurs first. This bill requires the DCA and the Department of Real Estate (DRE) to separately submit annual reports to the Legislature with specified information relating to the professional licensure of veterans, servicemembers, and their spouses.

Chaptered. Chapter 693, Statutes of 2021.

AB 305 (Maieschein)

Veteran services notice

This bill would require specified governmental agencies to include, at their next scheduled update, additional questions on their intake and application forms to determine whether a person is affiliated with the Armed Forces of the United States, and requires the information be sent to the Department of Veterans Affairs (CalVet), provided the person has granted consent.

Senate-In Floor Process. Inactive.

AB 325 (Irwin)

Veterans: discharge upgrades

This bill would, subject to an appropriation by the Legislature, require the department to establish the Veteran's Military Discharge Upgrade Grant Program to help fund service providers who will educate veterans about discharge upgrades and assist veterans in filing discharge upgrade applications.

Senate-In Committee Military & Veterans Affairs

AB 496 (Chen) Cremation of veterans with the United States flag

This bill authorizes a crematory, upon request of the person with the authority to dispose of the remains, to cremate the remains of a person who was a member of a branch of the United States military with a single American flag. The bill would exempt a flag that is incinerated in this manner from the recordkeeping requirements for incinerating a flag.

Chaptered. Chapter 118, Statutes of 2021.

AB 576 (Maienschein) Community colleges: apportionments: waiver of open course provisions: military personnel

This bill waives open course provisions in statute or regulations of the California Community Colleges (CCC) board of governors (BOG) for any governing board of a community college district (CCD) for community college courses the district provides to military personnel on a military base, and would authorize the board of governors to include the units of full-time equivalent students generated in those community college courses for purposes of state apportionments.

Chaptered. Chapter 562, Statutes of 2021.

AB 1002 (Choi) Postsecondary education: course credit for prior military education, training, and service

This bill requires the California State University (CSU) Chancellor's Office, in collaboration with the CSU Academic Senate, and requests the University of California (UC), by September 1, 2022, to develop a consistent policy for awarding course credit for prior military education, training, and service.

Chaptered. Chapter 567, Statutes of 2021.

AB 1314 (Comm Military and Veterans Affairs) Veterans' homes leases

This bill would create the Veterans' Home Fund. The bill would require moneys received in connection with the leasing or letting of a home to be deposited in the Veterans' Home Fund. The bill would provide that money in the fund is available, upon appropriation by the Legislature, for the maintenance of existing homes and for the acquisition or construction of new or replacement homes, as specified.

Senate-In Committee Military & Veterans Affairs

AB 1315 (Military & Veterans Affairs)

Veterans' homes: lease of property

This bill would make easements subject to the same use requirements as other real property held by the department. The bill would also specify that these requirements do not apply to an easement established prior to January 1, 2022, a public utility easement or other public easement, or an access easement.

Senate-In Committee Military & Veterans Affairs

AB 1352 (Chau)

**Independent information security assessments: Military
Department: local educational agencies**

This bill would authorize the Military Department, at the request of a local educational agency, and in consultation with the California Cybersecurity Integration Center, to perform an independent security assessment of the local educational agency, or an individual school site under its jurisdiction.

Chaptered. Chapter 593, Statutes of 2021.

AJR 7 (Patterson)

State veterans cemeteries: Hmong veterans

This measure urges the United States Congress and the President of the United States to permit states to extend burial and memorial benefits to Hmong veterans at state veterans cemeteries.

Chaptered. Chapter 117, Statutes of 2021.

AJR 10 (Choi, Nguyen, Quirk-Silva)

Veterans cemeteries: Republic of Korea veterans

This measure would urge the United States Congress and the President of the United States to permit states to extend burial and memorial benefits in state veterans cemeteries to Republic of Korea veterans and Republic of Vietnam veterans who served in the Vietnam War and who subsequently became United States citizens. The measure would urge the United States Congress and the President of the United States to extend the same benefits in national cemeteries.

Assembly-In Committee Military & Veterans Affairs

Oversight and Informational Hearings

No oversight or informational hearing was held in 2021.

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