

# SENATE BILL 441

O1, P1

(7lr1016)

## ENROLLED BILL

— *Education, Health, and Environmental Affairs/Health and Government Operations* —

Introduced by **Senators Simonaire, Bates, Kagan, Salling, Waugh, Young, ~~and Zucker~~ Zucker, Conway, Nathan-Pulliam, Pinsky, ~~and Robinson~~ Robinson, Astle, Benson, Brochin, Cassilly, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Norman, Oaks, Peters, Ramirez, Ready, Reilly, Rosapepe, Serafini, Smith, and Zirkin**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Veterans Affairs – Maryland Veterans Service Animal Program – Establishment**

3 FOR the purpose of establishing the Maryland Veterans Service Animal Program in the  
4 Department of Veterans Affairs; specifying the purposes of the Program; requiring  
5 the Department to select certain nonprofit entities to implement a certain training  
6 protocol, select certain Program participants, and provide certain training and  
7 services to certain veterans; establishing certain criteria that a nonprofit entity must  
8 meet to be eligible for selection under the Program; authorizing, under certain  
9 circumstances, a nonprofit training entity to disqualify a Program participant from

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



participating in the Program; authorizing a Program participant to discontinue involvement in the Program for any reason; establishing the Maryland Veterans Service Animal Program Fund; specifying the sources of revenue and uses for the Fund; authorizing the Department to accept donations for the Fund; requiring the Department to publish the names of certain donors to the Fund on an annual basis; requiring the Department to adopt certain regulations; defining certain terms; requiring the Department, on or before a certain date, to report certain information to the General Assembly; and generally relating to the Maryland Veterans Service Animal Program.

BY adding to

Article – State Government

Section 9–957 to be under the new part “Part VIII. Maryland Veterans Service Animal Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That the Laws of Maryland read as follows:

#### Article – State Government

**9–955. RESERVED.**

**9–956. RESERVED.**

#### **PART VIII. MARYLAND VETERANS SERVICE ANIMAL PROGRAM.**

**9–957.**

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ELIGIBLE VETERAN” MEANS AN INDIVIDUAL WHO:

(I) SERVED ON ACTIVE DUTY IN:

1. THE ARMED FORCES OF THE UNITED STATES, ~~OTHER THAN FOR TRAINING, AND WAS DISCHARGED OR RELEASED UNDER CONDITIONS OTHER THAN DISHONORABLE;~~

2. THE NATIONAL GUARD; OR

3. A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES;

(II) SERVED IN A CAPACITY OTHER THAN FOR TRAINING;

(III) WAS DISCHARGED OR RELEASED UNDER CONDITIONS  
OTHER THAN DISHONORABLE; AND

~~(H)~~ (IV) 1. IS A RESIDENT OF THE STATE; OR

2. RECEIVES TREATMENT OR CARE FROM A VETERANS'  
ADMINISTRATION HOSPITAL IN THE STATE.

(3) "FUND" MEANS THE MARYLAND VETERANS SERVICE ANIMAL  
PROGRAM FUND ESTABLISHED UNDER SUBSECTION (F) OF THIS SECTION.

(4) "NONPROFIT TRAINING ENTITY" MEANS A CORPORATION, A  
FOUNDATION, OR ANY OTHER LEGAL ENTITY THAT:

(I) IS QUALIFIED UNDER § 501(C)(3) OF THE INTERNAL  
REVENUE CODE;

(II) ENGAGES IN THE TRAINING OF SERVICE DOGS OR SUPPORT  
DOGS FOR USE BY VETERANS; AND

(III) HAS BEEN SELECTED BY THE DEPARTMENT TO PROVIDE  
SERVICES UNDER THIS SECTION.

(5) "PROGRAM" MEANS THE MARYLAND VETERANS SERVICE  
ANIMAL PROGRAM ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.

(6) "PROGRAM PARTICIPANT" MEANS AN ELIGIBLE VETERAN WHO  
PARTICIPATES IN THE PROGRAM.

(7) "SUCCESSFUL PROGRAM PARTICIPANT" MEANS A PROGRAM  
PARTICIPANT WHO SUCCESSFULLY COMPLETES THE TRAINING PROTOCOL  
SPECIFIED BY A NONPROFIT TRAINING ENTITY.

(B) THERE IS A MARYLAND VETERANS SERVICE ANIMAL PROGRAM IN THE  
DEPARTMENT.

(C) THE PURPOSES OF THE PROGRAM ARE TO:

(1) ~~IDENTIFY~~ REFER ELIGIBLE VETERANS WHO ~~MAY PARTICIPATE~~  
INQUIRE ABOUT PARTICIPATION IN THE PROGRAM AND BE PAIRED WITH SERVICE  
~~DOGS OR SUPPORT DOGS THAT HAVE BEEN IDENTIFIED BY A NONPROFIT TRAINING~~

~~ENTITY IN CONJUNCTION WITH THE PROGRAM PARTICIPANTS TO ONE OR MORE~~  
NONPROFIT TRAINING ENTITIES;

(2) PROVIDE ADDITIONAL FUNDING MECHANISMS TO ASSIST ~~IN~~  
VETERANS PARTICIPATING IN THE PROGRAM;

(3) ENCOURAGE SUCCESSFUL PROGRAM PARTICIPANTS TO ASSIST IN  
OUTREACH AND ~~IDENTIFICATION~~ REFERRAL OF OTHER ELIGIBLE VETERANS WHO  
COULD BENEFIT FROM PARTICIPATION IN THE PROGRAM; ~~AND~~

(4) ASSIST IN THE REDUCTION OF THE MARYLAND VETERAN SUICIDE  
RATE; AND

~~(4) (5) EXPAND THE PROGRAM BY IDENTIFYING~~ IDENTIFY  
POTENTIAL CAPITAL PROJECTS AND SERVICES TO FACILITATE MORE SERVICES FOR  
VETERANS IN THE STATE.

(D) (1) THE DEPARTMENT SHALL SELECT AT LEAST ONE NONPROFIT  
TRAINING ENTITY TO:

(I) IMPLEMENT A TRAINING PROTOCOL FOR THE PURPOSES OF  
THE PROGRAM THAT WILL TEACH EACH PROGRAM PARTICIPANT METHODOLOGIES,  
STRATEGIES, AND TECHNIQUES FOR PARTNERING WITH SERVICE DOGS OR SUPPORT  
DOGS;

(II) SELECT QUALIFIED PROGRAM PARTICIPANTS FROM THOSE  
ELIGIBLE VETERANS REFERRED TO THE NONPROFIT ENTITY UNDER THE PROGRAM;

(III) SELECT AN APPROPRIATE SERVICE DOG OR SUPPORT DOG  
FOR EACH PROGRAM PARTICIPANT;

(IV) FACILITATE EACH PROGRAM PARTICIPANT'S TRAINING  
USING THE NONPROFIT TRAINING ENTITY'S TRAINING PROTOCOL; AND

(V) PARTNER EACH SUCCESSFUL PROGRAM PARTICIPANT WITH  
THE SERVICE DOG OR SUPPORT DOG ON THE PROGRAM PARTICIPANT'S  
SUCCESSFUL COMPLETION OF THE NONPROFIT TRAINING ENTITY'S TRAINING  
PROTOCOL; ~~AND.~~

~~(VI) ASSIST SUCCESSFUL PROGRAM PARTICIPANTS WITH~~  
~~LEARNING AND APPLYING METHODOLOGIES, STRATEGIES, AND TECHNIQUES FOR~~  
~~PARTNERING WITH SERVICE DOGS AND SUPPORT DOGS.~~

1                   **(2) TO BE ELIGIBLE FOR SELECTION UNDER PARAGRAPH (1) OF THIS**  
2 **SUBSECTION, A NONPROFIT ENTITY MUST:**

3                   **(I) BE BASED IN THE STATE;**

4                   **(II) SERVE THE NEEDS OF THE VETERAN POPULATION IN THE**  
5 **STATE; AND**

6                   **(III) GENERATE ITS OWN REVENUE AND REINVEST THE**  
7 **PROCEEDS OF THAT REVENUE IN THE GROWTH AND DEVELOPMENT OF ITS**  
8 **PROGRAMS.**

9           **(E) (1) A NONPROFIT TRAINING ENTITY MAY DISQUALIFY A PROGRAM**  
10 **PARTICIPANT FROM PARTICIPATION IN THE PROGRAM IF THE NONPROFIT**  
11 **TRAINING ENTITY DETERMINES THAT THE PROGRAM PARTICIPANT'S INVOLVEMENT**  
12 **IN THE PROGRAM:**

13                   **(I) PRESENTS A DANGER TO THE PROGRAM PARTICIPANT'S**  
14 **MENTAL OR PHYSICAL WELLBEING;**

15                   **(II) HAS CAUSED OR MAY POTENTIALLY CAUSE HARM TO**  
16 **OTHERS, AN ANIMAL, OR PROPERTY;**

17                   **(III) PRESENTS A DANGER TO THE SERVICE DOG'S OR SUPPORT**  
18 **DOG'S MENTAL OR PHYSICAL WELL-BEING; OR**

19                   **(IV) DOES NOT MEET THE TRAINING REQUIREMENT OF THE**  
20 **NONPROFIT.**

21           **(2) A PROGRAM PARTICIPANT MAY DISCONTINUE INVOLVEMENT IN**  
22 **THE PROGRAM FOR ANY REASON.**

23           **(F) (1) THERE IS A MARYLAND VETERANS SERVICE ANIMAL PROGRAM**  
24 **FUND.**

25                   **(2) THE DEPARTMENT SHALL USE REVENUE FROM THE FUND TO PAY**  
26 **A NONPROFIT TRAINING ENTITY.**

27                   **(3) REVENUE FROM THE FUND MAY BE USED ONLY TO PAY:**

28                   **(I) A NONPROFIT TRAINING ENTITY; AND**

29                   **(II) ADMINISTRATIVE COSTS OF THE PROGRAM.**

1           **(4) THE SECRETARY SHALL ADMINISTER THE FUND.**

2           **(5) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**  
3 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

4           **(II) THE STATE TREASURER SHALL HOLD THE FUND**  
5 **SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

6           **(6) THE FUND CONSISTS OF:**

7           **(I) REVENUE COLLECTED BY THE DEPARTMENT IN THE FORM**  
8 **OF DONATIONS TO THE PROGRAM;**

9           **(II) MONEY APPROPRIATED IN THE STATE BUDGET TO THE**  
10 **FUND; AND**

11           **(III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED**  
12 **FOR THE BENEFIT OF THE FUND.**

13           **(7) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**  
14 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

15           **(8) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**  
16 **THE GENERAL FUND OF THE STATE.**

17           **(9) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN**  
18 **ACCORDANCE WITH THE STATE BUDGET.**

19           **(10) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS**  
20 **NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE**  
21 **APPROPRIATED FOR THE PROGRAM.**

22           **(G) (1) FOR THE PURPOSE OF IMPLEMENTING THIS SECTION, THE**  
23 **DEPARTMENT MAY ACCEPT GIFTS OR GRANTS FOR DONATION TO THE FUND.**

24           **(2) ON OR BEFORE OCTOBER 1, 2018, AND EACH OCTOBER 1**  
25 **THEREAFTER, THE DEPARTMENT SHALL POST AND MAINTAIN ON ITS WEB SITE A**  
26 **LIST OF THE NAMES OF THE PERSONS WHO HAVE DONATED TO THE FUND IN THE**  
27 **PREVIOUS YEAR AND HAVE NOT REQUESTED ANONYMITY.**

28           **(H) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS**  
29 **SECTION, INCLUDING REGULATIONS ESTABLISHING PROCEDURES FOR THE**  
30 **DEPARTMENT TO:**

1           (1) ~~ADVERTISE~~ PROMOTE THE PROGRAM TO ELIGIBLE VETERANS  
2 THROUGH THE DEPARTMENT'S OUTREACH METHODS;

3           ~~(2) CREATE AN APPLICATION AND SELECTION PROCESS FOR~~  
4 ~~ELIGIBLE VETERANS; AND~~

5           ~~(3) ESTABLISH A PROCESS TO SHARE APPROVED APPLICATIONS OF~~  
6 ~~POTENTIAL PROGRAM PARTICIPANTS WITH THE SELECTED NONPROFIT.~~

7           (2) REFER ELIGIBLE VETERANS TO SELECTED NONPROFIT ENTITIES;

8           (3) RECEIVE DONATIONS FOR THE FUND THROUGH A LINK PLACED IN  
9 A PROMINENT LOCATION ON THE DEPARTMENT'S WEB SITE; AND

10           (4) USE REVENUE FROM THE FUND TO PAY SELECTED NONPROFIT  
11 ENTITIES FOR SERVICES THAT ARE PROVIDED THROUGH THE PROGRAM.

12           SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31,  
13 2019, the Department of Veterans Affairs shall report to the General Assembly, in  
14 accordance with § 2-1246 of the State Government Article, the following information  
15 regarding the Maryland Veterans Service Animal Program established under § 9-957 of  
16 the State Government Article, as enacted by Section 1 of this Act:

17           (1) the number of Program participants involved in the Program;

18           (2) the nonprofit training entity or entities selected by the Department for  
19 involvement in the Program;

20           (3) an accounting of the money deposited into and redeemed out of the  
21 Maryland Veterans Service Animal Program Fund established under § 9-957 of the State  
22 Government Article, as enacted by Section 1 of this Act; and

23           (4) any other information related to the Maryland Veterans Service Animal  
24 Program that the Department considers relevant.

25           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 ~~October~~ July 1, 2017.