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VETERANS AFFAIRS



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JACQUI IRWIN
CHAIR

AGENDA

Wednesday, May 6, 2020
11:30 a.m. -- State Capitol, Room 4202

HEARD IN FILE ORDER

- | | | | |
|----|----------|------------------|------------------------------|
| 1. | AB 1935 | Voepel | Veterans: mental health. |
| 2. | AB 2192* | Veterans Affairs | Governor's Military Council. |
| 3. | AB 2193* | Veterans Affairs | Military: State Guard. |
| 4. | AB 3371* | Veterans Affairs | Veteran suicides: report. |

* Proposed Consent

Date of Hearing: May 6, 2020

ASSEMBLY COMMITTEE ON VETERANS AFFAIRS

Jacqui Irwin, Chair

AB 1935 (Voepel) – As Amended May 4, 2020

SUBJECT: Veterans: mental health

SUMMARY: Establishes a program to fund an academic study of mental health among women veterans in California and requires CalVet to report findings and recommendations to the Legislature by July 31, 2022. Specifically, **this bill:**

- 1) Requires the California Department of Veterans Affairs (CalVet) to:
 - a) Establish a program to fund, upon appropriation by the Legislature, an academic study of mental health among women veterans in California, to include demographics and an analysis of:
 - i) Stressors,
 - ii) Risk factors,
 - iii) Treatment modalities,
 - iv) Barriers to access,
 - v) Suicide rate, and
 - vi) Other information deemed relevant;
- 2) Submit a report, in compliance with Section 9795 of the Government Code, summarizing the findings and recommendations of the study to the Legislature no later than July 31, 2022.

EXISTING LAW: Establishes the California Department of Veterans Affairs to provide services to veterans and their dependents and survivors.

FISCAL EFFECT: This bill is keyed fiscal but has not been analyzed in a fiscal committee.

COMMENTS:

California is home to nearly 184,257 women who served in the United States Armed Forces and 4,369 women who are current National Guard members. Women have served in the U.S. Armed Forces in some capacity since the American Revolution. In 1948, Congress made women a permanent part of the military services. In 2013, women were officially allowed to serve on the front lines for the first time. That same year, the first four females graduate the Marine Corps School of Infantry.

The women veteran population is increasing rapidly throughout the nation, especially in California. Between 2005 and 2017, the women veteran population increased by 6.5%. Studies estimate that women veterans may comprise up to 15% of the veteran population in California by 2034.

Women who served in the U.S. Armed Forces have unique needs. They are more likely to be primary caregivers for spouses, children, and parents. They are more likely to have gender specific health needs. They are younger and more diverse than their male counterparts.

Women veterans experience additional barriers to receiving and utilizing benefits and services. In California, many women do not self-identify as veterans and thus do not utilize benefits or participate in veterans events, comprising only 5% of the customer population served by County Veteran Services Offices in 2013. Additionally, women veterans have higher rates of physical/mental health problems, such as Military Sexual Trauma (MST), alcohol abuse, and drug abuse, than male veterans.

In September 2019, the Department of Veterans Affairs released its annual report on veteran suicide prevention. Key findings from the report include:

- The number of veteran suicides exceeded 6,000 each year from 2008-2017.
- In 2017, the suicide rate for veterans was 1.5 times the rate for non-veterans, after adjusting for differences in age and sex.
- In 2017, the suicide rate for women veterans was 2.2 times the rate for women non-veterans, after adjusting for differences in age.

According to the author, “AB 1935 works to find the problem to veteran women suicide and find solutions to helping those women who have served for the freedom of our nation.”

One of the most important aspects of suicide prevention among service members and veterans appears to be the ability to obtain ongoing mental health care. According to the 2019 National Veteran Suicide Prevention Annual Report, from 2016 to 2017, the suicide rate of veterans receiving recent VA care increased by 1.3%, whereas the suicide rate among veterans who were not receiving recent VA care increased by 11.8%, after adjusting for population differences by age and sex.

REGISTERED SUPPORT / OPPOSITION:

Support

American Congress of Obstetricians & Gynecologists – District IX
American Legion, Department of California
AMVETs, Department of California
Associated Builders and Contractors Northern California Chapter
California Association of County Veterans Service Officers
California Psychological Association
California State Commanders Veterans Council
Military Officers Association of America, California Council of Chapters
National Association of Social Workers, California Chapter
Vietnam Veterans of America, California State Council

Opposition

None on File

Analysis Prepared by: Jenny Callison / V.A. / (916) 319-3550

Date of Hearing: May 6, 2020

ASSEMBLY COMMITTEE ON VETERANS AFFAIRS

Jacqui Irwin, Chair

AB 2193 (Committee on Veterans Affairs) – As Introduced February 11, 2020

SUBJECT: Military: State Guard

SUMMARY: Changes the name of the State Military Reserve (SMR) to the State Guard.

EXISTING LAW:

- 1) Establishes that the active militia of the state consists of the National Guard, State Military Reserve, and the Naval Militia.
- 2) Places the State Military Reserve within the Military Department.

FISCAL EFFECT: This bill is not keyed fiscal.

COMMENTS: Federal law authorizes the states – as well as Washington, D.C. and specified territories – to organize and maintain defense forces within their respective jurisdictions, but which may not be “called, ordered, or drafted into the armed forces.” These defense forces are not reserve components of the U.S. Armed Forces, nor state National Guards, though they may be organized within a state’s military department, as in California.

California has had a state defense force under several different names. First as the “California State Defense Guard,” but more widely known as the “California Home Guard,” then by World War II, the “California State Guard.” In 1951, it was changed to the “California National Guard Reserve” before being renamed again in 1963 to the “State Military Reserve.”

The State Military Reserve is an all-volunteer body, and currently has about 1,200 members. It assists civil authorities during domestic emergencies and with the mobilization and demobilization of the National Guard. SMR members are generally uncompensated, though be reimbursed for certain travel costs. SMR members may be ordered to Emergency State Active Duty, for which they are compensated. Members of the SMR are not necessarily veterans or members of the U.S. Armed Forces, though they may be.

The Adjutant General changed the name of the “State Military Reserve” administratively in May 2019 to the “State Guard,” citing his authority under Military and Veterans Code Section 11152. In the memorandum ordering the change, the Adjutant General cited a need for greater cohesion between units of the Military Department, and confusion that arises from the name. Specifically, the Adjutant General noted that the new name was consistent with other states.

A consensus does emerge from the names used by other states. 10 of 22 states with state-level guards use the name “State Guard,” others use varieties of “Defense Force” or “Militia” “Military Reserve.” Another 15 state forces that are now inactive use “State Guard.”

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

Analysis Prepared by: Christian Burkin / V.A. / (916) 319-3550


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AB-1935 Veterans: mental health. (2019-2020)

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Date Published: 04/27/2020 09:00 PM

AMENDED IN ASSEMBLY MAY 04, 2020

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

NO. 1935

Introduced by Assembly Member Voepel

January 16, 2020

An act to add and repeal Section 716 to the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 1935, as amended, Voepel. Veterans: mental health.

Existing law establishes the Department of Veterans Affairs. The department, among other services, provides veterans and their dependents and survivors with assistance in processing service-related disability claims, assistance in obtaining affordable housing, and information about health ailments associated with military service.

This bill would require the department to ~~study suicide among women veterans and submit a report summarizing their findings and recommendations to the Legislature no later than January 1, 2022.~~ *establish a program to fund, upon appropriation by the Legislature, an academic study of mental health among women veterans in California, as specified. The bill would require the department to submit a report summarizing the findings and recommendations of the study to the Legislature no later than July 31, 2022.*

This bill would make these provisions inoperative on July 31, 2023, and would repeal them as of January 1, 2024.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 716 is added to the Military and Veterans Code, to read:

716. (a) The department shall ~~conduct a study of suicide among women veterans in California.~~ *establish a program to fund, upon appropriation by the Legislature, an academic study of mental health among women veterans in California, to include demographics and an analysis of the stressors, risk factors, treatment modalities, barriers to access, suicide rate, and other information deemed relevant.*

(b) The department shall prepare and submit to the Legislature, no later than ~~January 1, 2022~~, *July 31, 2022*, a report summarizing the findings and recommendations of the study pursuant to subdivision (a). The report shall be submitted in compliance with Section 9795 of the Government Code.

~~(c) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.~~

(c) This section shall become inoperative on July 31, 2023, and, as of January 1, 2024, is repealed.


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AB-2192 Governor's Military Council. (2019-2020)

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Date Published: 02/11/2020 09:00 PM

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

NO. 2192

Introduced by Committee on Veterans Affairs

February 11, 2020

An act to amend Section 59 of the Military and Veterans Code, relating to the military.

LEGISLATIVE COUNSEL'S DIGEST

AB 2192, as introduced, Committee on Veterans Affairs. Governor's Military Council.

Existing law establishes the Governor's Military Council that advises the Governor on efforts to retain military installations and operations within the state. Members of the council are appointed by the Governor and include bipartisan representatives from both houses of the Legislature, as specified. Existing law repeals the law establishing the council on January 1, 2021.

This bill would extend that repeal date to January 1, 2026.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 59 of the Military and Veterans Code is amended to read:

59. (a) There is in the state government a Governor's Military Council (council) that shall serve under the direction of the Military Department and consist of members appointed by the Governor. The council shall advise the Governor on efforts to retain military installations and operations within this state that are necessary for the defense of the nation, and to coordinate and focus those efforts.

(b) The council shall include, but not be limited to, bipartisan representatives from both houses of the Legislature. Senate representatives shall be nominated by the Senate Committee on Rules and Assembly representatives shall be nominated by the Speaker of the Assembly.

(c) This section shall remain in effect only until ~~January 1, 2021~~, *January 1, 2026*, and as of that date is repealed, unless a later enacted statute, that is enacted before ~~January 1, 2021~~, *January 1, 2026*, deletes or extends that date.


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AB-2193 Military: State Guard. (2019-2020)

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Date Published: 02/11/2020 09:00 PM

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

NO. 2193

Introduced by Committee on Veterans Affairs

February 11, 2020

An act to amend Sections 46600, 48204.3, 49603, 66010.99, 66025.8, 68075, 69999.14, and 69999.16 of the Education Code, to amend Section 19771.5 of the Government Code, to amend Sections 51, 53, 54, 55, 120, 121, 142, 179, 213, 326, 328, 394, 395.9, 422, 502.1, 502.2, 512, 513, 515, 532, 550, 554, 560, 562, 612, 640, 642.5, 643.1, 643.2, 644, 648, 649, 850, 852, and 981.8 of the Military and Veterans Code, to amend Section 532b of the Penal Code, and to amend Section 17132.4 of the Revenue and Taxation Code, relating to military and veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 2193, as introduced, Committee on Veterans Affairs. Military: State Guard.

Existing law authorizes the Governor to organize and maintain the State Military Reserve when necessary to defend and for the security of the state during a period in which any part of the National Guard is in active federal service, or when Congress consents. The Governor is authorized to maintain the State Military Reserve at cadre strength at any time. The State Military Reserve is part of the active militia of the state along with the National Guard and the Naval Militia.

This bill would change the name of the State Military Reserve to the State Guard and make technical changes.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 46600 of the Education Code is amended to read:

46600. (a) (1) The governing boards of two or more school districts may enter into an agreement, for a term not to exceed five school years, for the interdistrict attendance of pupils who are residents of the school districts. The agreement may provide for the admission to a school district other than the school district of residence of a pupil who requests a permit to attend a school district of proposed enrollment that is a party to the agreement and that maintains schools and classes in transitional kindergarten, kindergarten, or any of grades 1 to 12,

inclusive, to which the pupil requests admission. Once a pupil in transitional kindergarten, kindergarten, or any of grades 1 to 12, inclusive, is enrolled in a school pursuant to this chapter, the pupil shall not have to reapply for an interdistrict transfer, and the governing board of the school district of enrollment shall allow the pupil to continue to attend the school in which the pupil is enrolled, except as specified in paragraphs (2) and (4).

(2) The agreement shall stipulate the terms and conditions under which interdistrict attendance shall be permitted or denied. The agreement may contain standards for reapplication agreed to by the school district of residence and the school district of enrollment that differ from the requirements prescribed by paragraph (1). The agreement may stipulate terms and conditions established by the school district of residence and the school district of enrollment under which the permit may be revoked.

(3) The designee of the superintendent of the school district of residence shall issue an individual permit verifying the school district's approval, pursuant to policies of the governing board of the school district and terms of the agreement for the transfer. A permit shall be valid upon concurring endorsement by the designee of the governing board of the school district of proposed enrollment. The stipulation of the terms and conditions under which the permit may be revoked is the responsibility of the school district of enrollment.

(4) Notwithstanding paragraph (2), a school district of residence or school district of enrollment shall not rescind existing transfer permits for pupils after June 30 following the completion of grade 10, or for pupils in grade 11 or 12.

(b) A pupil who has been determined by personnel of either the school district of residence or the school district of proposed enrollment to have been the victim of an act of bullying, as defined in subdivision (r) of Section 48900, committed by a pupil of the school district of residence shall, at the request of the parent, be given priority for interdistrict attendance.

(c) In addition to the requirements of subdivision (e) of Section 48915.1, and regardless of whether an agreement exists or a permit is issued pursuant to this section, any school district may admit a pupil expelled from another school district in which the pupil continues to reside.

(d) (1) Notwithstanding any other law, and regardless of whether an agreement exists or a permit is issued pursuant to this section, a school district of residence shall not prohibit the transfer of a pupil who is a child of an active duty military parent to a school district of proposed enrollment if the school district of proposed enrollment approves the application for transfer.

(2) A school district of residence shall approve an intradistrict transfer request for a victim of an act of bullying unless the requested school is at maximum capacity, in which case the school district shall accept an intradistrict transfer request for a different school in the school district. Notwithstanding any other law, and regardless of whether an agreement exists or a permit is issued pursuant to this section, if the school district of residence has only one school offering the grade level of the victim of an act of bullying and therefore there is no option for an intradistrict transfer, the victim of an act of bullying may apply for an interdistrict transfer and the school district of residence shall not prohibit the transfer if the school district of proposed enrollment approves the application for transfer.

(3) A school district of proposed enrollment that elects to accept an interdistrict transfer pursuant to this subdivision shall accept all pupils who apply to transfer under this subdivision until the school district is at maximum capacity. A school district of proposed enrollment shall ensure that pupils admitted under this subdivision are selected through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a pupil should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in Section 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status.

(4) (A) For purposes of this subdivision, "active military duty parent" means a parent with full-time military duty status in the active uniformed service of the United States, including members of the National Guard and the ~~State Military Reserve~~ *State Guard* on active duty orders pursuant to Chapter 1209 (commencing with Section 12301) and Chapter 1211 (commencing with Section 12401) of Part II of Subtitle E of Title 10 of the United States Code.

(B) For purposes of this subdivision, a "victim of an act of bullying" means a pupil that has been determined to have been a victim of bullying by an investigation pursuant to the complaint process described in Section 234.1 and the bullying was committed by any pupil in the school district of residence, and the parent of the pupil has filed a written complaint regarding the bullying with the school, school district personnel, or a local law enforcement agency.

(5) (A) Upon request of the parent or guardian on behalf of a pupil eligible for transfer pursuant to this subdivision, a school district of enrollment shall provide transportation assistance to a pupil who is eligible for free or reduced-price meals.

(B) A school district of enrollment may provide transportation assistance to any pupil admitted under this subdivision.

(C) It is the intent of the Legislature that the amount of transportation assistance provided to a pupil pursuant to subparagraph (A) or (B) not exceed the supplemental grant received, if any, for the pupil pursuant to subdivision (e) of Section 42238.02.

SEC. 2. Section 48204.3 of the Education Code is amended to read:

48204.3. (a) For purposes of this section, the following definitions apply:

(1) "Active military duty" means full-time military duty status in the active uniformed service of the United States, including members of the California National Guard and the ~~State Military Reserve~~ *State Guard* on active duty orders pursuant to Title 10 or 32 of the United States Code or Part 1 (commencing with Section 100) of Division 2 of the Military and Veterans Code.

(2) "Military installation" means a base, camp, post, station, yard, center, home port facility for any ship, or other activity under the jurisdiction of the United States Department of Defense or the United States Coast Guard.

(3) "Parent" means the natural or adoptive parent or guardian of a dependent child.

(b) Notwithstanding Section 48200, a pupil complies with the residency requirements for school attendance in a school district, if ~~he or she~~ *the pupil* is a pupil whose parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order.

(c) A school district shall accept applications by electronic means for enrollment, including enrollment in a specific school or program within the school district, and course registration for pupils described in subdivision (b).

(d) (1) The parent shall provide proof of residence in the school district within 10 days after the published arrival date provided on official documentation.

(2) For purposes of paragraph (1), a parent may use any of the following addresses as related to ~~his or her~~ *their* military move:

(A) A temporary on-base billeting facility.

(B) A purchased or leased home or apartment.

(C) Federal government or public-private venture off-base military housing.

SEC. 3. Section 49603 of the Education Code is amended to read:

49603. (a) Each school district offering instruction in any of grades 9 to 12, inclusive, that provides on-campus access to employers, shall not prohibit access to the military services.

(b) "Military services," for purposes of this section, includes the United States Army, the United States Navy, the United States Air Force, the United States Marine Corps, the United States Coast Guard, or any reserve component of those federal forces, the National Guard, the ~~State Military Reserve~~, *State Guard*, and the active militia.

SEC. 4. Section 66010.99 of the Education Code is amended to read:

66010.99. (a) The funds appropriated to the Board of Governors of the California Community Colleges in Schedule 23 of Item 6870-101-0001 of Section 2.00 of the Budget Act of 2017 are for allocation by the board of governors to make awards to community colleges pursuant to this article.

(b) The board of governors shall award moneys pursuant to this article for innovations that improve student success, and that are sustainable and capable of being scaled across the state, with a particular focus on all of

the following:

(1) Programs and frameworks that support students from groups that are underrepresented in higher education, such as low-income students, students from underrepresented schools and neighborhoods, first-generation students, students who are current or former foster youth, and students with disabilities.

(2) Targeted services and programs for students who are current or former members of the Armed Forces of the United States. For the purposes of this section, "Armed Forces of the United States" means the Air Force, Army, Coast Guard, Marine Corps, Navy, and the reserve components of each of those forces, the National Guard of any state, the California ~~State Military Reserve~~, *State Guard*, and the California Naval Militia.

(3) Programs and frameworks that support adults who have been displaced from the workforce, and adults who are underemployed, so as to obtain the necessary training for gainful employment.

(4) Programs that support incarcerated adults in prisons and jails, including formerly incarcerated adults.

(5) Programs that incorporate technology to improve instruction and support services with a plan to ensure student success in these types of programs.

(c) The board of governors shall make an award pursuant to this article only to a community college, but the award may be for innovations that encourage or require partnership between the community college and other entities.

(d) (1) By January 1, 2020, the Chancellor's Office shall report to the Director of Finance and the Legislature a summary of the activities supported by the moneys awarded.

(2) By January 1, 2022, the Chancellor's Office shall report to the Director of Finance and the Legislature a summary of the outcomes for the student populations identified by the community colleges in their applications for an award, including, but not limited to, the number of degrees and certificates awarded and the time it took students to complete their program.

(3) A report to be submitted pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 5. Section 66025.8 of the Education Code is amended to read:

66025.8. (a) The California State University and each community college district shall, and the University of California is requested to, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, grant priority in that system for registration for enrollment to any member or former member of the Armed Forces of the United States, and who is a resident of California, who has received an honorable discharge, a general discharge, or an other than honorable discharge, and to any member or former member of the ~~State Military Reserve~~, *State Guard*, for any academic term attended at one of these institutions for four academic years after ~~he or she~~ *the member* has left state or federal active duty, which ~~he or she~~ *the member* shall use within 15 years of leaving state or federal active duty.

(b) A former member of the Armed Forces of the United States or the ~~State Military Reserve~~ *State Guard* who received a dishonorable discharge or a bad conduct discharge is not eligible for priority registration for enrollment pursuant to this section.

(c) The priority registration for enrollment provided pursuant to this section shall apply to enrollment for all degree and certificate programs offered by the institution after the military or veteran status of the student has been verified by the institution ~~he or she~~ *the student* attends.

(d) Students who receive priority registration for enrollment pursuant to this section shall comply with the requirements of subdivision (a) of Section 78212.

(e) (1) For the purposes of this section, "Armed Forces of the United States" means the Air Force, Army, Coast Guard, Marine Corps, National Guard, Naval Militia, Navy, and the reserve components of each of those forces, including the California National Guard.

(2) As used in this section, "member or former member of the Armed Forces of the United States" includes, but is not necessarily limited to, any student who is called to active military duty compelling that student to take an academic leave of absence.

SEC. 6. Section 68075 of the Education Code is amended to read:

68075. (a) For purposes of this section, "Armed Forces of the United States" means the Air Force, Army, Coast Guard, Marine Corps, Navy, and the reserve components of each of those forces, the California National Guard, the California ~~State Military Reserve,~~ *State Guard*, and the California Naval Militia.

(b) A student who is a member of the Armed Forces of the United States stationed in this state, except a member of the Armed Forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees.

(c) If that member of the Armed Forces of the United States who is in attendance at an institution is thereafter transferred on military orders to a place outside this state where the member continues to serve in the Armed Forces of the United States, the member shall not lose the member's resident classification so long as the member remains continuously enrolled at that institution.

SEC. 7. Section 69999.14 of the Education Code is amended to read:

69999.14. The Legislature finds and declares all of the following:

(a) The California Military Department exists to provide a military organization in California with the capability to protect the lives and property of the people of the state during periods of natural disaster and civil disturbances, and to perform other functions required by the Military and Veterans Code or as directed by the Governor.

(b) The California Military Department performs an essential public purpose in protecting the health, safety, and property of California's citizens and, in order to fulfill its objectives, it is necessary for the California Military Department to have sufficient service members to deal with natural or human-caused disasters and emergencies.

(c) The state-sponsored education benefit is an important tool used to ensure that the California Military Department attracts and retains highly competent and capable service members who stand ready to immediately respond to the state's call.

(d) The California Military Department GI Bill is an investment in the men and women who serve California faithfully. This incentive ensures that members of the California National Guard and the California ~~State Military Reserve~~ *State Guard* are not placed at an educational disadvantage when compared to their active duty or reserve component counterparts.

(e) The Legislature and the California Military Department believe that every service member who takes the oath to serve this great state needs to be afforded the best opportunity to achieve a higher education.

SEC. 8. Section 69999.16 of the Education Code is amended to read:

69999.16. (a) Commencing January 1 of the 2009–10 academic year, and each academic year thereafter, any qualifying member of the California National Guard, the ~~State Military Reserve,~~ *State Guard*, or the Naval Militia may apply for an award under the California Military Department GI Bill.

(b) (1) A qualifying member shall meet all of the following conditions to be eligible to receive a California Military Department GI Bill award:

(A) The person is a resident within the meaning of Section 68017.

(B) The person is an active member of the California National Guard, the ~~State Military Reserve,~~ *State Guard*, or the Naval Militia.

(C) The person has been accepted or registered at, or enrolled in, a qualifying institution, as defined in subdivision (l) of Section 69432.7.

(D) The person agrees to use the award to obtain a certificate, degree, or diploma that ~~he or she~~ *the person* does not hold at the time ~~he or she~~ *the person* applies for the award, and enrolls in at least three academic units per semester, or the equivalent thereof. The award may be used to obtain one baccalaureate, graduate, or doctoral degree. The award may be used for a certificate, degree, or diploma that leads to a baccalaureate, graduate, or doctoral degree.

(E) The person agrees to serve two years in the California National Guard, the Naval Militia, or the California ~~State Military Reserve~~ *State Guard* upon completion of the last academic period that ~~he or she~~ *the person* uses educational assistance under this program.

(F) The person agrees to complete ~~his or her~~ *their* course of study within 10 years of the person's initial acceptance into the program. If a person is unable to complete ~~his or her~~ *their* course of study in the 10-year period due to federal military activation or other unexpected circumstance, the Adjutant General of the California Military Department may extend that person's participation in the program for a period of up to five additional years.

(G) The person has submitted the Free Application for Federal Student Aid (FAFSA) to the United States Department of Education.

(2) To be eligible for an award for a summer session term, a qualifying member who meets the conditions in paragraph (1) shall submit a letter from ~~his or her~~ *the member's* unit commander that states that the member's enrollment in that summer session will not adversely impact the member's attendance at mandatory military training.

(c) Each person applying for a California Military Department GI Bill award shall submit an application for an award to the Adjutant General.

(d) The Adjutant General shall do all of the following:

(1) Annually identify the skills most needed by the California National Guard to retain members who possess, or seek to possess, those identified skills.

(2) Prioritize those applicants who qualify for an award pursuant to subdivision (b) based on the skills most needed by the California National Guard, as identified pursuant to paragraph (1).

(3) Select award recipients from among eligible applicants pursuant to subdivision (e).

(4) Certify the eligibility of applicants to the Student Aid Commission.

(5) Notify recipients of their selection for an award.

(e) The Adjutant General shall select recipients who have been judged by the Adjutant General to have outstanding ability on the basis of criteria that may include, but shall not be limited to, any of the following:

(1) The Military Occupational Specialty Code or the Air Force Specialty Code.

(2) An annual noncommissioned officer evaluation report or officer evaluation report of the preceding two years.

(3) A memorandum from the applicant's commander recommending the applicant for the award.

(4) Commendations the applicant has received.

(5) An essay, written by the applicant, explaining why education is important to the applicant.

(f) The number of awards issued by the Student Aid Commission in any fiscal year shall be limited to the number authorized in the annual Budget Act for that year, but in no event shall exceed 1,000 in any fiscal year.

(g) The Student Aid Commission shall issue the awards in accordance with Section 69999.18.

SEC. 9. Section 19771.5 of the Government Code is amended to read:

19771.5. For purposes of this chapter, members of the ~~State Military Reserve~~ *State Guard* shall be granted leave for military service, rights and benefits accrued during that service, and reinstatement after that service by their appointing power on the same basis as members of the National Guard or other military reserve personnel.

SEC. 10. Section 51 of the Military and Veterans Code is amended to read:

51. The Military Department includes the office of the Adjutant General, the California National Guard, the ~~State Military Reserve,~~ *State Guard*, the California Cadet Corps, and the Naval Militia.

SEC. 11. Section 53 of the Military and Veterans Code is amended to read:

53. The creation of the Military Department shall in no manner affect the status, position, pay, classification, rights, duties, obligations, responsibilities, or tenure, as the same exist on the effective date of this act, of any person, employee, appointee, officer, enlisted person, warrant officer or commissioned officer employed, enlisted or appointed by or on duty with or in the service of the Office of the Adjutant General or the Adjutant General or the National Guard or the ~~State Military Reserve~~ *State Guard* or the California Cadet Corps or the Naval Militia.

SEC. 12. Section 54 of the Military and Veterans Code is amended to read:

54. All unexpended balances appropriated for the use of the office of the Adjutant General, the Adjutant General, the National Guard, the ~~State Military Reserve~~ *State Guard* or the Naval Militia and not required by the office of the Adjutant General, the Adjutant General, the National Guard, the ~~State Military Reserve~~ *State Guard* or the Naval Militia may be expended by the Adjutant General for the use and benefit of the Military Department. Except as herein provided, all money and funds available to or appropriated for the use and benefit of the office of the Adjutant General, the Adjutant General, the National Guard, the ~~State Military Reserve~~ *State Guard*, the California Cadet Corps or the Naval Militia, upon the effective date of this act, shall not be affected by the creation of the Military Department.

SEC. 13. Section 55 of the Military and Veterans Code is amended to read:

55. (a) A person serving in the position of inspector general shall satisfy all of the following requirements:

(1) Be appointed by the Governor, with consideration of the recommendation of the Adjutant General and notification to the Senate Committee on Rules, and shall serve a four-year term from the effective date of appointment. The inspector general may not be removed from office during that term, except for good cause. An inspector general may not serve more than two consecutive terms.

(2) Meet the same qualifications established in this code for the Assistant Adjutant General.

(3) Be an advisor to the Governor and responsive to the Adjutant General and serve on state active duty at the grade of O-6 or higher.

(b) (1) The inspector general may not serve as the Adjutant General or the Assistant Adjutant General for four years from the date of leaving the position of inspector general.

(2) A commissioned officer on state active duty appointed to the position of inspector general who, immediately prior to that duty, held a permanent state active duty position shall remain on state active duty upon vacating the inspector general position.

(3) The inspector general, as soon as able after their appointment, shall attend the Department of Defense Inspector General School.

(c) The department shall, from the amount annually appropriated to it for purposes of this office, continue to fund the position of inspector general.

(d) The inspector general shall have access to all employees and documents of the department.

(e) The inspector general may receive communications from any person, including, but not limited to, any member of the department.

(f) The inspector general shall, at a minimum, continue to perform the functions of inspections, assistance, investigations, and teaching and training. The functions of the inspector general shall be performed in accordance with applicable service laws, rules, and regulations governing federal inspectors general.

(g) The inspector general shall continue to maintain a toll-free public telephone number and an internet website to receive complaints and allegations, including, but not limited to, those described in subdivision (h) or the California Military Whistleblower Protection Act. The inspector general shall continue to post the telephone number and internet website in clear view at every California National Guard armory, flight facility, airfield, or installation.

(h) (1) At the discretion of the inspector general or the Adjutant General, or upon a written request by the Governor, a Member of the Legislature, any member of the department, or any member of the public, the inspector general shall, in compliance with Army Regulation 20-1 or any subsequent regulation governing

activities and procedures of the inspector general, expeditiously investigate any complaint or allegation regarding the following:

(A) A violation of law, including, but not limited to, regulations, the Uniform Code of Military Justice, and any law prohibiting sexual harassment or unlawful discrimination.

(B) Gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specified danger to the public health or safety.

(2) (A) For all written requests submitted by a Member of the Legislature, the inspector general shall respond in writing with the inspector general's findings. The response shall contain only that information that may be lawfully disclosed, and, if a complaint or allegation is at issue, the response shall contain, at a minimum, information regarding whether the complaint or allegation was unfounded or sustained.

(B) If the inspector general conducts an investigation at the request of a Member of the Legislature, the inspector general shall submit to that member a report of the inspector general's findings of that investigation. The report shall contain only information that may be lawfully disclosed, and shall contain, at a minimum, information regarding whether the complaint or allegations were unfounded or sustained.

(3) The inspector general shall notify a person who submitted a request for investigation pursuant to paragraph (1) of the results of the investigation, with respect to those issues and allegations directly pertaining to, or made by, the person.

(4) (A) A request described in paragraph (1) is not a public record and is not subject to disclosure under the California Public Records Act set forth in Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code.

(B) The inspector general shall not disclose to any person or entity the identity of a person making a written request or an allegation or complaint described in paragraph (1), unless the person making the request, allegation, or complaint has consented to the disclosure in writing.

(5) (A) When deemed appropriate by the inspector general, the inspector general may refer to the Chief of the National Guard Bureau any complaints or allegations described in paragraph (1), any violations of the Uniform Code of Military Justice, or any violations of any other state or federal law.

(B) When deemed appropriate by the inspector general, the inspector general may refer to the State Auditor any complaints or allegations described in subparagraph (B) of paragraph (1) or any violation of state or federal law.

(i) If the inspector general receives, or becomes aware of, an allegation, complaint, or misconduct regarding the Adjutant General or the Assistant Adjutant General, the inspector general shall immediately refer the matter to the Chief of the National Guard Bureau and the Governor for review. The inspector general, by order of the Governor, shall conduct an investigation regarding the allegations concerning the Adjutant General or the Assistant Adjutant General concurrently with any federal investigation where appropriate. The inspector general shall report the findings to the Governor under this subdivision.

(j) If the inspector general receives, or becomes aware of, an allegation, complaint, or instance of misconduct regarding an inspector general, the inspector general shall immediately refer the allegation, by rapid and confidential means, to the Governor and the next higher echelon inspector general for appropriate action within 10 working days after receipt.

(k) Any allegation presented to the inspector general against a person recognized by the federal government as grade E-8 or E-9, or against any officer recognized by the federal government as a rank of major through colonel, that resulted in the initiation of an inspector general investigation or investigative inquiry or a command-directed action, such as an investigation pursuant to Army Regulation 15-6, commander's inquiry, or referral to the United States Army Criminal Investigation Command, shall be reported to the inspector general of the Department of the Army or the inspector general of the Department of the Air Force, as appropriate, and the Adjutant General within 10 working days after receipt.

(l) Any allegation presented to the inspector general against a person not recognized by the federal government as grade E-8, E-9, or against any officer not recognized by the federal government as a rank of major through colonel, that resulted in the initiation of an inspector general investigation or investigative inquiry or a command-directed action, such as an investigation pursuant to Army Regulation 15-6, commander's inquiry, or referral to the United States Army Criminal Investigation Command, shall be reported to the Governor and the Adjutant General within 10 working days after receipt.

(m) Any allegation presented to the inspector general against general officers or brigadier general selectees shall be reported, by rapid and confidential means, to the Governor and the Adjutant General within 10 working days after receipt.

(n) (1) (A) The inspector general shall, on or before July 1, 2013, and on or before July 1 each year thereafter, submit a report to the Governor, the Legislature, the Senate Committee on Veterans Affairs, and the Assembly Committee on Veterans Affairs. The report shall include, but not be limited to, a description of significant problems discovered by the office and a summary of investigations conducted by the office during the previous year. Upon submitting the report to the Governor, the Legislature, the Senate Committee on Veterans Affairs, and the Assembly Committee on Veterans Affairs the report shall be made available to the public and posted on the office's internet website.

(B) A report to be submitted pursuant to subparagraph (A) shall be submitted in compliance with Section 9795 of the Government Code.

(2) Upon the completion of an investigation conducted by the inspector general pursuant to paragraph (1) of subdivision (h) or Section 56, the inspector general shall also prepare and issue on a quarterly basis a public report that includes all investigations completed in the previous quarter. The inspector general shall submit a copy of the quarterly report to the Legislature, the Senate Committee on Veterans Affairs, and the Assembly Committee on Veterans Affairs. The inspector general shall have the discretion to redact or otherwise protect the names of individuals, specific locations, or other facts that, if not redacted, might hinder prosecution under state or federal law or the Uniform Code of Military Justice related to the investigation, or where disclosure of the information is otherwise prohibited by law, and to decline to produce any of the underlying materials. In a case where allegations were deemed to be unfounded, all applicable identifying information shall be redacted. Each quarterly report shall be made available to the public and posted on the office's internet website.

(o) For purposes of this section, all of the following shall apply:

(1) "Department" means the Military Department.

(2) "Inspector general" means the California Military Department Inspector General.

(3) "Member of the department" means the Adjutant General, any person under the command of the Adjutant General, any person employed by the department, including, but not limited to, any service member or employee of the office of the Adjutant General, the California National Guard, the ~~State Military Reserve~~ *State Guard*, the California Cadet Corps, or the Naval Militia, any person on state active duty, any person with a state commission, or any civil service or part-time employee of the department.

(4) "Office" means the Office of the California Military Department Inspector General.

SEC. 14. Section 120 of the Military and Veterans Code is amended to read:

120. The militia of the State shall consist of the National Guard, ~~State Military Reserve~~ *State Guard* and the Naval Militia—which constitute the active militia—and the unorganized militia.

SEC. 15. Section 121 of the Military and Veterans Code is amended to read:

121. The unorganized militia consists of all persons liable to service in the militia, but not members of the National Guard, the ~~State Military Reserve~~, *State Guard*, or the Naval Militia.

SEC. 16. Section 142 of the Military and Veterans Code is amended to read:

142. (a) The Governor may order the active militia or any portion of it to perform military duty of every description, including necessary administrative duties, and to participate in small arms gunnery competitions in this state or in any other state or territory or the District of Columbia, or in any fort, camp, or reservation of the United States. ~~He or she~~ *The Governor* may also authorize the performance of military duty or participation in small arms or gunnery competitions by any part of the active militia anywhere outside the state or outside the United States. Cruise duty ordered for the Naval Militia may be required to be performed on United States vessels.

(b) Service members selected for permanent positions shall be selected using a military competitive selection process. A service member ordered to state active duty in accordance with this section who remains on state

active duty for six consecutive years shall be eligible for career state active duty status and may remain on state active duty until the service member reaches 60 years of age or is separated for cause. At 60 years of age, a service member may remain on state active duty under temporary orders, which may be renewed annually.

(c) Orders for a service member with less than six years of state active duty service shall expire annually unless renewed or the service member is separated for cause.

(d) When a service member reaches 64 years of age, or when federal recognition of ~~his or her~~ *the service member's* grade or rank is withdrawn, whichever occurs later, the service member shall be retired from state active duty.

(e) A service member on state active duty with the Military Department pursuant to this section shall be any of the following:

(1) A current member of the California National Guard. For purposes of this section, a member described in subdivision (c) of Section 210 shall not be qualified to serve on state active duty unless ~~he or she~~ *the member* maintains current membership in the ~~State Military Reserve~~ *State Guard*.

(2) An individual who is retired or otherwise honorably separated from service with the active component of any branch of the United States Armed Forces, the federal reserve component of any branch of the United States Armed Forces, or the federally recognized National Guard of any state or United States territory, with current membership in the ~~State Military Reserve~~ *State Guard*.

(3) A current member of the ~~State Military Reserve~~ *State Guard* with a minimum of two years of service.

(f) A service member already serving on state active duty who retires federally from the California National Guard shall assess into the ~~State Military Reserve~~ *State Guard* in order to retain eligibility for continued state active duty.

(g) A commissioned officer on state active duty assigned to a general officer position who, previous to that duty, held a state active duty position at a lower grade, may revert to the grade last held upon vacation of the general officer position, if a position is available.

(h) Notwithstanding any other law, a service member who is on state active duty may be relieved from state active duty if the Adjutant General, acting in good faith and on behalf of the Governor, abolishes a position. The department shall make reasonable attempts to place the service member in an available position for which the service member is otherwise qualified.

(i) The Adjutant General, under the authority of the Governor as Commander in Chief, shall promulgate regulations in conformity with this section.

SEC. 17. Section 179 of the Military and Veterans Code is amended to read:

179. (a) The Adjutant General shall establish a California State Military Museum and Resource Center as a repository for military artifacts, memorabilia, equipment, documents, and other items relating to the military history of California, and to the history of the California National Guard, in accordance with applicable regulations of the United States Army governing Army museum activities. The museum may consist of the facility described in the Proclamation of the Governor dated May 11, 1994, and any branches as may currently exist or may from time to time be created throughout the state. Each facility shall be deemed to be an armory within the meaning of Section 430.

(b) The Adjutant General may enter into operating agreements with nonprofit historical foundations, military museums, historical societies, or other entities to conduct museum activities pursuant to the rules and regulations promulgated hereunder.

(c) Volunteers, docents, members of the California ~~State Military Reserve~~ *State Guard*, or others working with or for the California State Military Museum and Resource Center, for purposes consistent with the mission of the organization, shall be considered volunteers under Sections 3118 and 3119 of the Government Code and Section 3363.5 of the Labor Code.

(d) No funds raised or assets acquired by an entity described in subdivision (b) shall be used for purposes inconsistent with support of the museum.

(e) The Military Department shall, no later than March 15 of each year, submit a business plan for the following fiscal year to the Director of Finance and the Chair of the Joint Legislative Budget Committee for review and comment. The Military Department shall also submit, not less than 30 days prior to adoption, any proposed formal amendments to the business plan to the Director of Finance and the Chair of the Joint Legislative Budget Committee for review and comment.

(f) (1) The Adjutant General or an entity described in subdivision (b) may solicit, receive, and administer donations of funds or property for the support and improvement of the museum. Any grants or donations received may be expended or used for museum purposes.

(2) Property of historical military significance, not including real property, that is owned by the state and is determined by the Adjutant General to be in excess of the needs of the Military Department, shall be transferred to the museum.

(3) Property determined by the Adjutant General or an entity described in subdivision (b) to be in excess of the needs of the museum may be sold, donated, exchanged, or otherwise disposed of, at its discretion, in a manner appropriate to the historical and intrinsic value of the property, and the benefits from the disposition shall inure to the museum. This paragraph does not apply to property held in trust for the Controller pursuant to Section 1563 of the Code of Civil Procedure.

(g) The Adjutant General or an entity described in subdivision (b) may solicit and receive firearms and other weaponry confiscated by or otherwise in the possession of law enforcement officers as donations to the museum if ~~he or she~~ *the Adjutant General* deems them to be of historical or military interest.

(h) The Adjutant General shall, in cooperation with an entity described in subdivision (b), conduct a study of the future needs of the National Guard to preserve, display, and interpret artifacts, documents, photographs, films, literature, and other items relating to the history of the military in California.

(i) (1) An entity described in subdivision (b) may enter into agreements with other military museums in California, including, but not limited to, the Legion of Valor Museum, to loan property that is not real property and that is under the direct control of the foundation.

(2) An entity described in subdivision (b) may enter into agreements with other military museums in California to loan property held in trust for the Controller pursuant to Section 1563 of the Code of Civil Procedure.

SEC. 18. Section 213 of the Military and Veterans Code is amended to read:

213. Members of the California National Guard who have reverted from federal control to state control thereby become members of the ~~State Military Reserve~~ *State Guard* and are subject to Chapter 3 (commencing with Section 550) of Part 2 of this division for the unexpired period of their enlistment or appointment, unless upon reversion the members are assigned to active units of the California National Guard which have not been called or ordered into federal service.

SEC. 19. Section 326 of the Military and Veterans Code is amended to read:

326. Commissioned officers, warrant officers and enlisted persons and former commissioned officers, warrant officers and enlisted persons of the United States Army, United States Air Force, United States Navy, or any reserve component thereof, California National Guard, ~~State Military Reserve,~~ *State Guard*, California National Guard Reserve, California Defense and Security Corps, California State Guard, California Reserve and Retired List or the active militia, may, with ~~his or her~~ *their* consent, be detailed for active duty with a security section which the Adjutant General is hereby authorized to maintain in ~~his or her~~ *the Adjutant General's* office. A commissioned officer, warrant officer or enlisted person who is detailed for duty as provided in this section may be paid compensation in any grade or rank lower than the person actually holds provided the commissioned officer, warrant officer or enlisted person voluntarily waives all compensation in excess of the lower grade or rank.

SEC. 20. Section 328 of the Military and Veterans Code is amended to read:

328. (a) The purpose of this section is to help defray the uniform and travel costs paid by volunteers in the ~~State Military Reserve~~ *State Guard* and Naval Militia.

(b) On January 1, 2007, the amount of seventy-five thousand dollars (\$75,000) is hereby appropriated from the General Fund to the Military Department for the purposes of providing a combined uniform and travel allowance

to each volunteer member of the ~~State Military Reserve~~ *State Guard* or Naval Militia, on or before the last day of the month following the volunteer member's completion of one year of satisfactory service in the ~~State Military Reserve~~ *State Guard* or Naval Militia, and annually thereafter following the completion of any subsequent full year of satisfactory service.

(c) For the purposes of this section, "satisfactory service" shall consist of 100 percent constructive attendance at training assemblies or as otherwise defined by Military Department regulations.

(d) The amount of the allowance shall be one hundred twenty-five dollars (\$125) per year.

SEC. 21. Section 394 of the Military and Veterans Code is amended to read:

394. (a) A person shall not discriminate against a member of the military or naval forces of the state or of the United States because of that membership. A member of the military forces shall not be prejudiced or injured by a person, employer, or officer or agent of a corporation, company, or firm in terms, conditions, or privileges with respect to that member's employment, position or status or be denied or disqualified for employment by virtue of membership or service in the military forces of this state or of the United States.

(b) An officer or employee of the state, or of any county, city and county, municipal corporation, or district shall not discriminate against a member of the military or naval forces of the state or of the United States because of that membership. A member of the military forces shall not be prejudiced or injured by an officer or employee of the state, or of any county, city and county, municipal corporation, or district in terms, conditions, or privileges with respect to that member's employment, appointment, position, or status or be denied or disqualified for or discharged from that employment or position by virtue of membership or service in the military forces of this state or of the United States.

(c) A person shall not prohibit or refuse entrance to a member of the Armed Forces of the United States or of the military or naval forces of this state into any public entertainment or place of amusement or into any of the places described in Sections 51 and 52 of the Civil Code because that member wears the uniform of the organization to which ~~he or she~~ *the member* belongs.

(d) An employer or officer or agent of a corporation, company, or firm, or other person, shall not discharge a person from employment because of the performance of any ordered military duty or training or by reason of being a member of the military or naval forces of this state or of the federal reserve components of the Armed Forces of the United States, or hinder or prevent that person from performing any military service or from attending any military encampment or place of drill or instruction ~~he or she~~ *the person* may be called upon to perform or attend by proper authority; prejudice or harm ~~him or her~~ *the person* in any manner in ~~his or her~~ *the person's* terms, conditions, or privileges of employment, position, or status by reason of performance of military service or duty or attendance at military encampments or places of drill or instruction; or dissuade, prevent, or stop any person from enlistment or accepting a warrant or commission in the California National Guard, ~~State Military Reserve,~~ *State Guard*, or Naval Militia or the federal reserve components of the Armed Forces of the United States by threat or injury to ~~him or her~~ *the person* in respect to ~~his or her~~ *the person's* terms, conditions, or privileges of employment, position, status, trade, or business because of enlistment or acceptance of a warrant or commission.

(e) (1) A private employer or officer or agent of a corporation, company, or firm, or other person, shall not restrict or terminate any collateral benefit for employees by reason of an employee's temporary incapacitation incident to duty in the National Guard, ~~State Military Reserve,~~ *State Guard*, or Naval Militia or the federal reserve components of the Armed Forces of the United States. As used in this subdivision, "temporary incapacitation" means any period of incapacitation of 52 weeks or less.

(2) As used in this subdivision, "benefit" includes, but is not limited to, health care which may be continued at the employee's expense, life insurance, disability insurance, and seniority status.

(f) A person who provides lending or financing shall not discriminate against a person with respect to the terms of a loan or financing, including, but not limited to, the finance charge, based on that person's membership in the military or naval forces of this state or of the United States. With respect to a loan or credit transaction covered by Section 987 of Title 10 of the United States Code, as amended by 126 Stat. 1785 (Public Law 112-239), and Part 232 (commencing with Section 232.1) of Subchapter M of Chapter I of Subtitle A of Title 32 of the Code of Federal Regulations, as amended as published on July 22, 2015, on Page 43560 in Number 140 of Volume 80 of the Federal Register, a person that does not market or extend those transactions to covered borrowers shall not be in violation of this section. For purposes of this section, a covered borrower has the same

meaning as provided for in Part 232 (commencing with Section 232.1) of Subchapter M of Chapter I of Subtitle A of Title 32 of the Code of Federal Regulations, as amended on the date described in this subdivision.

(g) A person violating this section is guilty of a misdemeanor. In addition, a person violating any of the provisions of this section shall be liable for actual damages and reasonable attorney's fees incurred by the injured party.

(h) The remedies provided for in this section are not intended to be exclusive but are in addition to the remedies provided for in other laws, including Sections 51 and 52 of the Civil Code.

SEC. 22. Section 395.9 of the Military and Veterans Code is amended to read:

395.9. Any public employee and any employee of a corporation, company, firm, or other person who is a member of the ~~State Military Reserve~~ *State Guard* is entitled to a temporary military leave of absence without pay while engaged in military duty for purposes of military training, drills, unit training assemblies, or similar inactive duty training for not to exceed 15 calendar days annually, including time involved in going to and returning from that duty.

SEC. 23. Section 422 of the Military and Veterans Code is amended to read:

422. Any person other than an officer, warrant officer, or enlisted person of the California National Guard, or of the unorganized militia when called into the service of the state or of the ~~State Military Reserve~~ *State Guard* or who may be appointed under Section 141 or who may be authorized by Sections 502, 502.1, or 502.2 or who may be a member of the Naval Militia of this state, or who may be a member of the military forces of another state or of the United States Army, United States Air Force, United States Navy, United States Marine Corps, United States Coast Guard Service or United States or State Forest Service, or personnel of the Department of Fish and Wildlife, or members of the Department of the California Highway Patrol, or an inmate of any veterans' or soldiers' home, or other person authorized by the laws of the United States or of this state, who at any time wears the uniform of the United States Army, United States Air Force, or United States Navy, or of the armed forces of the United States or any organization thereof, or National Guard or Naval Militia, or any part of that uniform, or a uniform or part of a uniform similar thereto, is guilty of a misdemeanor and is punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or by imprisonment in the county jail not exceeding 60 days, or by both.

SEC. 24. Section 502.1 of the Military and Veterans Code is amended to read:

502.1. The Adjutant General shall determine by the adoption of rules and regulations the grade and rank to be held by individuals appointed in the California Cadet Corps by reason of their military experience or professional knowledge, or both. These individuals shall be appointed pursuant to the rules and regulations adopted by the Adjutant General.

A person who has previously been an officer, warrant officer, or noncommissioned officer of, and discharged under honorable conditions from, the United States Army, the United States Navy, the United States Air Force, the United States Marine Corps, the United States Coast Guard, or any reserve component of such federal forces, the California National Guard, the ~~State Military Reserve~~ *State Guard*, or the active militia may be appointed in the California Cadet Corps in the same rank last held in such federal or state military forces. Each officer, warrant officer, or noncommissioned officer shall hold office pursuant to the rules and regulations adopted by the Adjutant General. Upon recommendation of the Adjutant General, the Governor may commission one executive officer of the California Cadet Corps as colonel, one assistant executive officer of the California Cadet Corps as lieutenant colonel, and the necessary number of regional advisors in the same grade and rank last held in federal or state military forces, not to exceed lieutenant colonel, pursuant to rules and regulations adopted by the Adjutant General. Upon the recommendation of the Adjutant General, the Governor may appoint Special Project Officers, warrant officers, and noncommissioned officers to the same grade and rank last held in federal or state military forces for service in the California Cadet Corps by virtue of their professional knowledge and experience. Pay and expenses shall be taken from the funds appropriated for the maintenance and support of the California Cadet Corps.

SEC. 25. Section 502.2 of the Military and Veterans Code is amended to read:

502.2. The executive officer as a colonel in the California National Guard, ~~State Military Reserve~~, *State Guard*, or California Cadet Corps; the assistant executive officer as a lieutenant colonel in the California National Guard, ~~State Military Reserve~~, *State Guard*, or California Cadet Corps; the regional advisors appointed pursuant to Section 502.1; and the individuals appointed in the California Cadet Corps according to rules and regulations adopted by the Adjutant General shall wear uniforms prescribed by the Adjutant General, including cap and collar ornaments and other distinctive marks of identification of the California Cadet Corps. Uniforms shall not be inconsistent with rules and regulations of the United States Army.

SEC. 26. Section 512 of the Military and Veterans Code is amended to read:

512. Marksmanship practice shall constitute a part of the instruction to be given to cadets. Members of the California Cadet Corps may engage in rifle matches and competitions conducted or held in this state or at any place in the United States. The Adjutant General may purchase and supply to each of the colleges, community colleges, and schools a sufficient number of efficient rifles for field target work and gallery practice and the ammunition and equipment necessary for efficient rifle practice. A sufficient number of rifles suitable for field target work or gallery target firing and the ammunition and equipment may be purchased by a board of school trustees, board of education, board of directors or trustees of a college or community college, county superintendent of schools, or the Superintendent of Public Instruction, out of any funds available, and the governing body or governing officials of any school, community college, or college may purchase the necessary parts for and may repair any rifles acquired or furnished to the California Cadet Corps. All marksmanship practice shall be under the supervision of the president, chief administrative officer, director, or principal of the college, community college, or school, or under the supervision of an appointed officer or officers. Competent members of the California National Guard, ~~State Military Reserve~~, *State Guard*, or Naval Militia may be detailed by the Adjutant General, with their consent, and upon request of the president, director, chief administrative officer, or principal of the college, community college, or school as instructors of marksmanship practice in the California Cadet Corps. Instructors from the California National Guard, ~~State Military Reserve~~, *State Guard*, or Naval Militia on duty at a college, community college, or school for marksmanship practice shall be under the immediate control and jurisdiction of the governing body of the college, community college, or school. The expenditures may be paid out of funds appropriated for the maintenance and support of the California Cadet Corps.

SEC. 27. Section 513 of the Military and Veterans Code is amended to read:

513. The Adjutant General may detail from the organizations of the California National Guard, ~~State Military Reserve~~, *State Guard*, or Naval Militia, competent members who shall perform duties on behalf of the California Cadet Corps and who may act as training and marksmanship practice instructors for the California Cadet Corps. The Adjutant General may provide compensation for any person detailed for duty and service with the California Cadet Corps. The expenditures may be paid out of funds appropriated for the maintenance and support of the California Cadet Corps. The Adjutant General may conduct conferences and other events and activities for members of the California Cadet Corps and may utilize funds appropriated for the maintenance and support of the California Cadet Corps for these purposes.

SEC. 28. Section 515 of the Military and Veterans Code is amended to read:

515. Units in their first year of operation shall receive an assistance visit to ensure assigned personnel receive the training and support needed to adequately prepare for their first formal, for-record inspection. The executive officer, the assistant executive officer, the regional advisors or military officers of the California National Guard, ~~State Military Reserve~~, *State Guard*, or Naval Militia detailed by the Adjutant General shall inspect units of the California Cadet Corps at least once every two years and annually for any unit receiving a rating of unsatisfactory in a prior year's inspection. Inspectors shall report to the Adjutant General regarding the training, marksmanship, attendance, discipline, military knowledge and instruction, leadership, and condition of property of the California Cadet Corps. These reports shall consist of an inventory of the state property on hand in the cadet units at the time of inspections, and shall be made and forwarded in duplicate, one copy to the Superintendent of Public Instruction and one copy to the Adjutant General's office, and shall bear the endorsement of the president, director, chief administrative officer, or college, community college, or principal of the college, community college, or school, containing remarks the officials may deem pertinent.

SEC. 29. Section 532 of the Military and Veterans Code is amended to read:

532. (a) (1) Subject to subdivision (b), the Adjutant General may enter into a cooperative agreement with the governing board of a school district or a county office of education for the purpose of establishing, pursuant to existing statutory authority in the Education Code, a military academy to be operated as a charter school, pursuant to Part 26.8 (commencing with Section 47600) of Division 4 of Title 2 of the Education Code, or as one of the existing alternative education options, available under the Education Code. The program would provide a structured, disciplined environment that would be conducive to learning in a college preparatory environment. In addition to academic skills, students would develop leadership, self-esteem, and a strong sense of community. An academy established pursuant to this section shall comply with the Education Code.

(2) Pursuant to Section 509 of Title 32 of the United States Code and subject to subdivision (b), the Adjutant General shall conduct a civilian youth opportunities program, to be known as the "National Guard Youth ChalleNGe Program," which shall consist of at least a 22-week residential program and a 12-month post-residential mentoring period. The program shall serve at-risk teens in areas of the state, including, but not limited to, the San Joaquin Valley and Northern California, and shall be subject to all of the following:

(A) The program shall seek to improve life skills and employment potential of participants by providing military-based leadership development, promoting fellowship and community service, developing life-coping skills and job skills, improving physical fitness, providing health and hygiene training, and assisting participants to receive a high school diploma or its equivalent.

(B) (i) The Adjutant General may accept federal funding to implement a National Guard Youth ChalleNGe Program. The Adjutant General may appoint a director and other service members and employees, permanent or temporary, to operate the program.

(ii) The Adjutant General may appoint a current member of the ~~State Military Reserve~~ *State Guard* who possesses a bachelor's degree in psychology or social work to serve as a counselor within the program.

(C) The Military Department shall enter into a memorandum of agreement with an appropriate school district or a county office of education for the purpose of providing educational services for students enrolled in a National Guard Youth ChalleNGe Program. The school district or county office of education with which the department contracts shall be responsible for ensuring compliance with any applicable requirements imposed by the Education Code.

(b) A new program, except for the California Cadet Corps, may only be established as provided in subdivision (a) if funds are appropriated for purposes of the program in the annual Budget Act or any other act.

SEC. 30. Section 550 of the Military and Veterans Code is amended to read:

550. Whenever any part of the National Guard of this ~~State~~ *state* is in active federal service, or when Congress ~~so~~ consents thereto, the Governor ~~is hereby authorized to~~ *may* organize and maintain within this ~~State~~ *state* during ~~such that~~ *such* period, under ~~such~~ regulations ~~as~~ the Secretary of Defense of the United States may prescribe for discipline in training, ~~such the~~ *such* military forces ~~as~~ the Governor ~~may deem~~ *deems* necessary to defend and for the security of this ~~State;~~ *state;* provided, however, the Governor may authorize the organization and maintenance of ~~such these~~ *such* forces at cadre strength at any time. ~~Such These~~ *Such* forces shall be composed of officers commissioned or assigned, and ~~such the~~ *such* qualified citizens or aliens who have declared their intentions to become citizens ~~as shall and who~~ *and who* volunteer for ~~service therein;~~ *service,* supplemented, if necessary, by members of the unorganized militia enrolled by draft or otherwise as provided by law. ~~Such These~~ *Such* forces shall be additional to and distinct from the National Guard and shall be known as the ~~State Military Reserve.~~ *Such State Guard.* ~~These~~ *These* forces shall be uniformed under ~~such the~~ *such* conditions and subject to ~~such the~~ *such* regulations as the Governor may prescribe.

SEC. 31. Section 554 of the Military and Veterans Code is amended to read:

554. (a) For the use of the ~~State Military Reserve~~ *State Guard*, the Governor may submit requisitions to the United States Secretary of Defense for any arms and equipment in the possession of and excess to or not required by the Department of the Army or ~~alloted~~ *allotted* or available to the ~~State Military Reserve.~~ *State Guard.* The Governor may provide arms and equipment to the ~~State Military Reserve~~ *State Guard* which are not furnished by the Department of the Army and are required in the defense of the state. The Governor may make available to the ~~State Military Reserve~~ *State Guard* armories and other state premises, property, supplies, and equipment as may be available.

(b) The members of the ~~State Military Reserve~~ *State Guard* may be male or female and are members of the state militia for purposes of this code.

(c) All unexpended balances appropriated for the use of the California National Guard or the Adjutant General and not required by the California National Guard or the Adjutant General may be expended by the Adjutant General for the use and benefit of the ~~State Military Reserve~~ *State Guard* and its members. Section 255 does not apply to the ~~State Military Reserve~~. *State Guard*.

SEC. 32. Section 560 of the Military and Veterans Code is amended to read:

560. (a) The Uniform Code of Military Justice (Chapter 47 (commencing with Section 801) of Title 10 of the United States Code) and the rules and regulations adopted thereunder, together with the Manual for Courts-Martial, United States, 1984 (Executive Order 12473 of April 13, 1984, as amended), are hereby adopted as part of this code and shall be applicable to and govern the ~~State Military Reserve~~. *State Guard*.

(b) No officer or enlisted person of the ~~State Military Reserve~~ *State Guard* may be arrested on any warrant, except for treason or a felony, while going to, remaining at, or returning from a place ~~he or she~~ *the person* is ordered to attend for military duty. Every officer and enlisted person of the ~~State Military Reserve~~ *State Guard* is, during ~~his or her~~ *their* service, exempt from service upon any posse comitatus and from jury duty.

SEC. 33. Section 562 of the Military and Veterans Code is amended to read:

562. In all cases in which any officer, warrant officer or enlisted person of the ~~State Military Reserve~~, *State Guard*, when organized or authorized as a cadre or otherwise, when in the performance of ordered duty, or when ordered into the active service of the state, is wounded, injured, disabled, or killed in active service, or in the performance of ordered duty and in line of duty, the officer or warrant officer or enlisted person or the dependents of that officer or warrant officer or enlisted person shall be entitled to receive compensation from the state in accordance with the provisions of Division 4 (commencing with Section 3201) of the Labor Code. In all such cases, an officer, warrant officer, enlisted person shall be held and deemed to be an employee of the state. The compensation to be awarded to any such officer, warrant officer, enlisted person shall be ascertained, determined, and fixed upon the basis of ~~his or her~~ *the person's* average income from all sources during the year immediately preceding the date of the injury or death or the commencement of the disability, but the compensation shall in no case exceed the maximum prescribed in Division 4 (commencing with Section 3201) of the Labor Code.

In the determination of the benefits to be awarded any member of the ~~State Military Reserve~~ *State Guard* or ~~his or her~~ *the member's* dependents under the provisions of this section it shall be conclusively presumed that the average yearly earning of the injured or deceased member is not less than two thousand five hundred dollars (\$2,500). Any injury, death, or disability shall be deemed to have been suffered in line of duty unless the same resulted from misconduct or disobedience of lawful orders by the injured or deceased member.

SEC. 34. Section 612 of the Military and Veterans Code is amended to read:

612. (a) The colors and standards carried by organizations of the National Guard or Naval Militia shall be those which are carried by similar organizations of the United States Army, Air Force, or Navy, except that the regimental or battalion colors or standards may show the state coat of arms, instead of the coat of arms of the United States.

(b) The Adjutant General may, pursuant to rules and regulations adopted for the purpose, deliver to the members of the family of a deceased member of the National Guard or of the ~~State Military Reserve~~ *State Guard* the colors used during the disposition of the remains of the deceased member according to the custom and usual practice of the United States Army, Air Force, or Navy, which then become the property of the members of the family.

SEC. 35. Section 640 of the Military and Veterans Code is amended to read:

640. The following decorations are authorized for members of the National Guard, ~~State Military Reserve~~, *State Guard*, and Naval Militia:

(a) Medal of Valor.

- (b) Military Cross.
- (c) Order of California.
- (d) Memorial Medal.
- (e) Medal of Merit.
- (f) Commendation Medal.
- (g) Service Medal.
- (h) Good Conduct Medal.

The Order of California, Medal of Merit, and Commendation Medal are also authorized for award to civilians and members of other military services who bring honor to the State of California by their actions.

The Adjutant General may provide and procure appropriate emblematic devices for each decoration, together with suitable ribbons and insignia to be worn with or in place of the medal.

SEC. 36. Section 642.5 of the Military and Veterans Code is amended to read:

642.5. A Memorial Medal may be presented posthumously to any person who, while an officer, warrant officer, or enlisted member of the National Guard, the ~~State Military Reserve,~~ *State Guard*, or the Naval Militia is killed in the service of the state or the United States.

SEC. 37. Section 643.1 of the Military and Veterans Code is amended to read:

643.1. A Commendation Medal may be presented to each person who, while an officer, warrant officer, or enlisted member of the National Guard, ~~State Military Reserve,~~ *State Guard*, or Naval Militia distinguishes ~~himself or herself~~ *themselves* while serving in any capacity with the National Guard, ~~State Military Reserve,~~ *State Guard*, or Naval Militia by meritorious achievement or meritorious service. The meritorious achievement or meritorious service is less exceptional than that required for the Medal of Merit but shall be accomplished with distinction.

The Commendation Medal may also be awarded to civilians and members of other military services who distinguish themselves as indicated in this section.

SEC. 38. Section 643.2 of the Military and Veterans Code is amended to read:

643.2. A good conduct medal may be presented to each person who, while an enlisted member of the California National Guard, ~~State Military Reserve,~~ *State Guard*, or Naval Militia, has demonstrated fidelity through faithful and exact performance of duty, efficiency through capacity to produce desired results, and whose behavior has demonstrated that ~~he or she~~ *the person* deserves emulation.

SEC. 39. Section 644 of the Military and Veterans Code is amended to read:

644. A service medal or bar shall be issued for 10 years' service in the California National ~~Guard or~~ *Guard*, the California Air National ~~Guard or~~ *Guard*, the Naval ~~Militia Militia~~, or the ~~State Military Reserve,~~ *State Guard*, and for each period of five years of service thereafter. Such medal or bar shall be issued to those entitled to the same upon application.

SEC. 40. Section 648 of the Military and Veterans Code is amended to read:

648. (a) Except as provided by subdivision (b), decorations authorized by this code and decorations, medals, badges, ribbons, and insignia authorized by the laws or regulations of the United States pertaining to the National Guard, Air National Guard, and Naval Militia may be worn by officers, warrant officers, and enlisted persons in accordance with the code, laws, or regulations. However, decorations awarded by other states and territories of the United States may be worn, but shall be subordinated to those issued by federal and state laws or regulations. No other decorations, medals, badges, ribbons, or insignia may be worn. A violation of this section shall constitute a misdemeanor.

(b) Decorations authorized by this code and decorations or medals from the Armed Forces of the United States, the California National Guard, ~~State Military Reserve,~~ *State Guard*, or Naval Militia, or any service medals or

badges awarded to the members of such forces, may be worn by uniformed public safety personnel in accordance with the code, laws, or regulations, during the business week prior to Veterans Day and Memorial Day, the day of Veterans Day and Memorial Day, and the business day immediately following Veterans Day and Memorial Day. The employer of the uniformed public safety personnel shall retain the right to prohibit the wearing of military decorations pursuant to this subdivision if the employer determines that wearing the military decorations poses a safety hazard to the uniformed public safety personnel or to the public.

SEC. 41. Section 649 of the Military and Veterans Code is amended to read:

649. (a) The Adjutant General may adopt, from time to time, any rules, regulations, and orders not inconsistent with this code which ~~he or she~~ *the Adjutant General* deems necessary to carry into effect this chapter.

(b) The Adjutant General may present duplicate medals or ribbons or other decorations authorized by this code to the next of kin of any deceased member of the National Guard, if the original decorations are inadvertently lost or destroyed.

(c) Furthermore, the Adjutant General may establish additional awards and decorations as may be necessary to properly recognize the service or achievement of members of the National Guard, ~~State Military Reserve,~~ *State Guard*, and Naval Militia.

SEC. 42. Section 850 of the Military and Veterans Code is amended to read:

850. (a) The state shall pay a ten thousand dollar (\$10,000) death benefit to the surviving spouse of, or a beneficiary designated by, any member of the California National Guard, ~~State Military Reserve,~~ *State Guard*, or Naval Militia who dies or is killed after March 1, 2003, in the performance of duty.

(b) The Military Department shall determine if the death occurred in the performance of the member's duty, and shall issue a certificate of benefit eligibility under this section within 20 days of application by the surviving spouse or a designated beneficiary.

(c) The state shall pay the death benefit within 10 days of the receipt of the certificate of benefit eligibility from the surviving spouse or a beneficiary designated by the service member.

SEC. 43. Section 852 of the Military and Veterans Code is amended to read:

852. There is hereby appropriated the sum of one hundred thirty thousand dollars (\$130,000) from the General Fund to the Military Department for the purpose of paying death benefits, as prescribed by this chapter, to the families of members of the California National Guard, ~~State Military Reserve,~~ *State Guard*, or Naval Militia who have lost their lives in the performance of duty, as determined by the Military Department.

SEC. 44. Section 981.8 of the Military and Veterans Code is amended to read:

981.8. (a) The Office of the Adjutant General is requested to annually make all of the following available to each member of the California National Guard, ~~the State Military Reserve,~~ *the State Guard*, and the Naval Militia who does not have a baccalaureate degree:

(1) A copy of the enrollment fee waiver application of the Board of Governors of the California Community Colleges.

(2) A copy of the Free Application for Federal Student Aid (FAFSA).

(3) A copy of the latest brochure or information relative to the current federal Post-9/11 GI Bill.

(4) A copy of the latest brochure or information relative to the California National Guard Education Assistance Award Program.

(5) The contact information for a County Veterans Service Officer or the division responsible within the California Department of Veterans Affairs for higher education or the California National Guard.

(b) The Office of the Adjutant General is requested to provide assistance as necessary to help the members complete the forms made available to them under subdivision (a).

SEC. 45. Section 532b of the Penal Code is amended to read:

532b. (a) A person who fraudulently represents ~~himself or herself~~ *themselves* as a veteran or ex-serviceman of a war in which the United States was engaged, in connection with the soliciting of aid or the sale or attempted sale of any property, is guilty of a misdemeanor.

(b) A person who fraudulently claims, or presents ~~himself or herself,~~ *themselves,* to be a veteran or member of the Armed Forces of the United States, the California National Guard, the ~~State Military Reserve,~~ *State Guard,* the Naval Militia, the national guard of any other state, or any other reserve component of the Armed Forces of the United States, with the intent to obtain money, property, or other tangible benefit, is guilty of a misdemeanor.

(c) (1) Except as provided in paragraph (2), a person who, orally, in writing, or by wearing any military decoration, fraudulently represents ~~himself or herself~~ *themselves* to have been awarded a military decoration, with the intent to obtain money, property, or other tangible benefit, is guilty of a misdemeanor.

(2) This offense is an infraction or a misdemeanor, subject to Sections 19.6, 19.7, and 19.8, if the person committing the offense is a veteran of the Armed Forces of the United States.

(d) A person who forges documentation reflecting the awarding of a military decoration that ~~he or she~~ *the person* has not received for the purposes of obtaining money, property, or receiving a tangible benefit is guilty of a misdemeanor.

(e) A person who knowingly, with the intent to impersonate and to deceive, for the purposes of obtaining money, property, or receiving a tangible benefit, misrepresents ~~himself or herself~~ *themselves* as a member or veteran of the Armed Forces of the United States, the California National Guard, the ~~State Military Reserve,~~ *State Guard,* or the Naval Militia by wearing the uniform or military decoration authorized for use by the members or veterans of those forces, is guilty of a misdemeanor.

(f) A person who knowingly utilizes falsified military identification for the purposes of obtaining money, property, or receiving a tangible benefit, is guilty of a misdemeanor.

(g) A person who knowingly, with the intent to impersonate, for the purposes of promoting a business, charity, or endeavor, misrepresents ~~himself or herself~~ *themselves* as a member or veteran of the Armed Forces of the United States, the California National Guard, the ~~State Military Reserve,~~ *State Guard,* or the Naval Militia by wearing the uniform or military decoration authorized for use by the members or veterans of those forces, is guilty of a misdemeanor.

(h) A person who knowingly, with the intent to gain an advantage for employment purposes, misrepresents ~~himself or herself~~ *themselves,* as a member or veteran of the Armed Forces of the United States, the California National Guard, the ~~State Military Reserve,~~ *State Guard,* or the Naval Militia by wearing the uniform or military decoration authorized for use by the members or veterans of those forces, is guilty of a misdemeanor.

(i) This section does not apply to face-to-face solicitations involving less than ten dollars (\$10).

(j) This section, Section 3003 of the Government Code, and Section 1821 of the Military and Veterans Code shall be known, and may be cited as, the California Stolen Valor Act.

(k) For purposes of this section, the following terms shall have the following meanings:

(1) "Military decoration" means any decoration or medal from the Armed Forces of the United States, the California National Guard, the ~~State Military Reserve,~~ *State Guard,* or the Naval Militia, or any service medals or badges awarded to the members of those forces, or the ribbon, button, or rosette of that badge, decoration, or medal, or any colorable imitation of that item.

(2) "Tangible benefit" means financial remuneration, an effect on the outcome of a criminal or civil court proceeding, or any benefit relating to service in the military that is provided by a federal, state, or local governmental entity.

SEC. 46. Section 17132.4 of the Revenue and Taxation Code is amended to read:

17132.4. (a) For taxable years beginning on or after January 1, 2005, gross income does not include the death benefits received by an eligible individual.

(b) For purposes of this section:

(1) "Death benefit" means the entire amount of the death benefit payment made pursuant to Chapter 3.5 (commencing with Section 850) of Division 4 of the Military and Veterans Code.

(2) "Eligible individual" means the surviving spouse of, or a beneficiary designated by, any member of the California National Guard, ~~State Military Reserve~~, *State Guard*, or Naval Militia who dies or is killed in the performance of duty, as provided in Section 850 of the Military and Veterans Code.


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AB-3371 Veteran suicides: report. (2019-2020)

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CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

NO. 3371

Introduced by Committee on Veterans Affairs

March 12, 2020

An act to amend Section 102791 of the Health and Safety Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 3371, as introduced, Committee on Veterans Affairs. Veteran suicides: report.

Existing law requires the State Department of Public Health to implement an electronic death registration system and to access data within the system to compile a report on veteran suicide in California that includes information on the veterans' ages, sexes, races or ethnicities, and methods of suicide. Existing law requires the department to provide that report annually to the Legislature and the Department of Veterans Affairs.

This bill would require that report to include information on the counties of residence of the veterans, and would authorize the report to include additional information. The bill would also require the report to include a cross-tabulation of that data and to compare the data to the data from the previous year. The bill would require the report to be submitted on or before March 15 each year.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 102791 of the Health and Safety Code is amended to read:

102791. (a) (1) The State Department of Public Health shall access data within the electronic death registration system implemented pursuant to Section 102778 to compile a report on veteran suicide in California. The report shall ~~only include~~ *include, but may not be limited to*, information on the ages, sexes, races or ethnicities, *counties of residence*, and methods of suicide of veterans.

(2) *The report shall include a cross-tabulation of the data specified in paragraph (1), and shall compare the data to the data from the previous year.*

(b) (1) ~~Beginning January 1, 2019, the~~ *The* department shall, notwithstanding Section 10231.5 of the Government Code, annually provide the report compiled pursuant to subdivision (a) to the Legislature and the

Department of Veterans ~~Affairs~~. *Affairs on or before March 15 each year.*

(2) A report to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.