

SENATE BILL REPORT

SB 5871

As Reported by Senate Committee On:
State Government & Elections, January 16, 2024

Title: An act relating to the definition of veteran and restoring honor to veterans.

Brief Description: Concerning the definition of veteran and restoring honor to veterans.

Sponsors: Senators Lovick, Cleveland, Conway, Dozier, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Saldaña, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman and Wilson, J.; by request of Attorney General.

Brief History:

Committee Activity: State Government & Elections: 1/12/24, 1/16/24 [DPS-WM].

Brief Summary of First Substitute Bill

- Expands veterans' eligibility for purposes of state benefits and services for veterans.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Majority Report: That Substitute Senate Bill No. 5871 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Hunt, Chair; Valdez, Vice Chair; Wilson, J., Ranking Member; Dozier, Fortunato, Hasegawa and Kuderer.

Staff: Greg Vogel (786-7413)

Background: The state provides various services and benefits for veterans, including:

- admission to state soldiers' and veterans' homes;
- hiring preference and scoring preference on civil service exams;
- special license plates;

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

- veteran homeownership down payment assistance programs;
- renewal and extension of licenses; and
- services provided by the Department of Veterans Affairs.

A separate status is recognized for veterans who served in a period of war or conflict. Such combat veterans may be eligible to receive additional benefits, including:

- higher scoring preference on civil service exams;
- participation in a designated shared leave pool program;
- special designated license plates;
- property tax relief for senior widows and widowers of veterans; and
- tuition waivers, reductions, and other education benefits.

The state-sponsored retirement systems provide credit to combat veterans for interruptive military service for up to five years of service.

In order to be eligible for state veterans' benefits and programs, veterans generally must have received an honorable discharge or other excusable discharge.

Summary of Bill (First Substitute): Veterans' eligibility for state veterans' programs and benefits is expanded to include any veteran who has received:

- a discharge with an honorable characterization of service;
- a discharge with a general under honorable conditions characterization of service;
- a discharge with an other than honorable characterization of service if the applicant provides certain documentation from the United States Department of Veterans Affairs showing eligibility for or receipt of monetary benefits; or
- any characterization of service if the reason for discharge was listed as due to:
 1. a person's sexual orientation, gender identity, or gender expression;
 2. statements, consensual sexual conduct, or consensual acts relating to sexual orientation, gender identity, or gender expression; or
 3. the disclosure of statements, conduct, or acts relating to sexual orientation, gender identity, or gender expression to military officials.

The Department of Veterans Affairs must develop and implement an outreach program to ensure eligible veterans are aware of state veterans' benefits and programs.

EFFECT OF CHANGES MADE BY STATE GOVERNMENT & ELECTIONS COMMITTEE (First Substitute):

- Establishes documentation requirements for proving a qualifying discharge for purposes of state benefits and programs;
- Clarifies that veterans' eligibility expansion to the veterans' widow and widower property tax exemption grant applies to veterans who have served during a period of war;
- Exempts the expansion of veterans' eligibility as applied to the veterans' widow and

- widower property tax exemption from state requirements regarding newly enacted tax preferences, including ten-year expiration and tax preference performance statement requirements;
- Removes expansion of veterans' eligibility to certain uninterrupted service credit provisions; and
 - Allows the Department of Licensing to implement changes to veterans' eligibility regarding special license plates by April 1, 2025.

Appropriation: None.

Fiscal Note: Requested on January 2, 2024.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: The bill aligns veterans eligibility for state benefits with federal standards, targeting the population of veterans in the area between honorable and dishonorable discharge. With regard to fiscal impacts, we want you to consider the return on investment to veterans who may be vulnerable, or otherwise, that could benefit from these services. The bill will create eligibility for thousands of veterans across the state, an important safety net for these veterans.

OTHER: The department will ensure outreach on benefits given to all veterans, including those in underserved parts of the state. While we support the expansion of the definition under this bill, counties are concerned about the fiscal impact as this will increase the costs to provide services for a population we do not currently serve.

Persons Testifying: PRO: Senator John Lovick, Prime Sponsor; Mariah Hanley, Attorney General's Office; Rory Paine-Donovan, Attorney General's Office.

OTHER: Juliana Roe, Washington State Association of Counties - WSAC; David Puente, WA State Department of Veterans Affairs.

Persons Signed In To Testify But Not Testifying: No one.