

091780476

HOUSE BILL NO. 1732

Offered January 14, 2009

Prefiled January 6, 2009

A BILL to amend and reenact § 2.2-2001 of the Code of Virginia, relating to the Department of Veterans Services; processing of disability claims.

Patrons—Cox, Alexander, Athey, BaCote, Barlow, Bell, Bouchard, Bowling, Cline, Cosgrove, Dance, Gear, Hall, Hamilton, Howell, A.T., Hull, Iaquinto, Ingram, Johnson, Jones, Knight, Landes, Lingamfelter, Lohr, Massie, Mathieson, McQuinn, Merricks, Miller, J.H., Miller, P.J., Morgan, Morrissey, Nixon, O'Bannon, Oder, Peace, Phillips, Plum, Pogge, Poindexter, Poisson, Pollard, Purkey, Putney, Rust, Saxman, Scott, J.M., Sherwood, Spruill, Tata, Toscano, Vanderhye, Ward, Ware, R.L. and Watts; Senators: Blevins, Colgan, Deeds, Marsh, Martin, Quayle, Ruff, Stosch, Stuart, Wagner, Wampler and Watkins

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That § 2.2-2001 of the Code of Virginia is amended and reenacted as follows:**

§ 2.2-2001. Administrative responsibilities of the Department.

A. The Department shall be responsible for the establishment, operation, administration, and maintenance of offices and programs related to services for Virginia-domiciled veterans of the armed forces of the United States and their eligible spouses, orphans, and dependents. Such services shall include, but not be limited to, benefits claims processing and all medical care centers and cemeteries for veterans owned and operated by the Commonwealth.

Subject to the availability of sufficient nongeneral fund revenues, including, but not limited to, private donations and federal funds, the Department shall work in concert with applicable State and Federal agencies to develop and deploy an automated system for the electronic preparation of veterans' disability claims. The Commissioner shall ensure that the system is efficient and statutorily compliant.

B. The Department shall establish guidelines for the determination of eligibility for Virginia-domiciled veterans and their spouses, orphans, and dependents for participation in programs and benefits administered by the Department. Such guidelines shall meet the intent of the federal statutes and regulations pertaining to the administration of federal programs supporting U.S. Armed Forces veterans and their spouses, orphans, and dependents.

C. The Department shall adopt reasonable regulations to implement a program to certify, upon request of the small business owner, that he holds a "service disabled veteran" status.

D. As used in this chapter:

"Service disabled veteran" means a veteran who (i) served on active duty in the United States military ground, naval, or air service, (ii) was discharged or released under conditions other than dishonorable, and (iii) has a service-connected disability rating fixed by the United States Department of Veterans Affairs.

"Service disabled veteran business" means a business concern that is at least 51% owned by one or more service disabled veterans or, in the case of a corporation, partnership, or limited liability company or other entity, at least 51% of the equity ownership interest in the corporation, partnership, or limited liability company or other entity is owned by one or more individuals who are service disabled veterans and both the management and daily business operations are controlled by one or more individuals who are service disabled veterans.

"Veteran" means an individual who has served in the active military, naval or air service, and who was discharged or released therefrom under conditions other than dishonorable.

INTRODUCED

HB1732