

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: SB321E

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Lewis

3. Committee: General Laws and Technology

4. Title: Department of Veterans Services; eligibility for veteran status under state and local laws; change.

5. Summary: Provides that any person who was separated from active military, naval, or air service with an other than honorable discharge due solely to such person's sexual orientation or gender identity or expression may petition the Department of Veterans Services (DVS) to have his discharge recorded with DVS as honorable. Persons whose discharge status is changed pursuant to such a petition must be afforded the same rights, privileges, and benefits authorized by state law and local ordinances as any other veteran who was honorably discharged.

6. Budget Amendment Necessary: Yes. Item 464.

7. Fiscal Impact Estimates: Preliminary. See below.

8. Fiscal Implications: The proposed legislation will allow for persons who were discharged other than honorably from active service with the armed forces due solely to their sexual orientation, gender identity, or gender expression to petition the Department of Veterans Services (DVS) to have such discharge changed to honorable. Persons whose discharge status is changed pursuant to the bill shall receive the same rights, privileges, and benefits as any other honorably discharged veteran.

Currently, DVS has one attorney position who assists veterans by providing information on the appeal process involved, and refers them to pro bono law firms and legal clinics that may be able to appeal their discharge status. This position does not legally represent veterans in their requests to upgrade their discharge status. At this time, it is not clear if there would be an increase in the number of veterans who would seek the current services as a result of this legislation. If the intent of the bill is to require DVS to expand the current process of obtaining an upgraded discharge status, how to find an attorney, DVS estimates it would need one additional attorney position at an estimated cost of \$140,000 annually.

If the intent of the bill is that DVS attorneys provide legal representation to veterans to appeal their discharge status, it is estimated DVS will need two positions at an estimated cost of \$281,000 annually. These positions would represent veterans before service boards, write briefings, access military personnel records, and appear in court of these veterans' behalf.

DVS may need additional office staff positions to accommodate a large increase in the number of veterans clients accessing the agency's programs and services, but the number of positions needed and the costs associated with them are indeterminate at this time.

9. Specific Agency or Political Subdivisions Affected: Department of Veterans Services.

10. Technical Amendment Necessary: No.

11. Other Comments: None.