

CVSO'S IN CA CODE PROJECT

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MILITARY AND VETERANS CODE

DIVISION 4. **VETERANS'** AID AND WELFARE [690 - 1006.16]

(Division 4 enacted by Stats. 1935, Ch. 389.)

CHAPTER 1. Department of **Veterans** Affairs [690 - 713]

(Heading of Chapter 1 amended by Stats. 1961, Ch. 86.)

699.5:

(a) The department may assist every veteran of the United States and the dependent or survivor of every veteran of the United States in presenting and pursuing the claim as the veteran, dependent, or survivor may have against the United States arising out of military service and in establishing the veteran's, dependent's, or survivor's right to any privilege, preference, care, or compensation provided for by the laws of the United States or of this state. The department may cooperate and, with the approval of the Department of Finance, contract with any **veterans** service organization, and pursuant to the contract may compensate the organization for services within the scope of this section rendered by it to any veteran or dependent or survivor of a veteran. The contract shall not be made unless the department determines that, owing to the confidential relationships involved and the necessity of operating through agencies that the **veterans**, dependents, or survivors involved will feel to be sympathetic toward their problems, the services cannot satisfactorily be rendered otherwise than through the agency of the **veterans** organization and that the best interests of the **veterans**, dependents, or survivors involved will be served if the contract is made.

(b) (1) The Legislature finds and declares that services provided by **veterans** service organizations play an important role in the department's responsibilities to assist **veterans** and their dependents and survivors in presenting and pursuing claims against the United States, and that it is an efficient and reasonable use of state funds to provide compensation to **veterans** service organizations for these services.

(2) The Legislature further finds and declares that paragraph (1) shall not be implemented by using the General Fund until the annual budget for **county veterans service officers** reaches a minimum of five million dollars (\$5,000,000). This subdivision shall not be construed to preclude the use of federal funding in implementing these provisions.

(c) **Veterans** service organizations that elect to contract with the department in accordance with this section shall document the claims processed each year by the **veterans service officer**s employed by the **veterans** service organization at offices located in California. The documentation shall be in accordance with procedures established by the department.

(d) The department shall determine annually the amount of monetary benefits paid to eligible **veterans** and their dependents and survivors in the state as a result of the work of the **veterans service officer**s of the contracting organizations. Beginning on January 1, 2006, the department shall, on or before January 1 of each year, prepare and transmit its determination for the preceding fiscal year to the Department of Finance and the Legislature. The department shall also identify federal sources to support the efforts of **veterans** service organizations pursuant to this section. The Department of Finance shall review the department's determination in time to use the information in the annual Budget Act for the budget of the department for the next fiscal year.

(e) For purposes of this section:

(1) "Survivor" means any relation of a deceased veteran who may be entitled to make a claim for any privilege, preference, care, or compensation under the laws of the United States or this state based upon the veteran's war service.

(2) “**Veterans service officer**” means an individual employed by a **veterans** service organization and accredited by the United States Department of **Veterans** Affairs to process and adjudicate claims and other benefits for **veterans** and their dependents and survivors.

(3) “**Veterans** service organization” means an organization that meets all of the following criteria:

(A) Is formed by and for United States military **veterans**.

(B) Is chartered by the United States Congress.

(C) Has regularly maintained an established committee or agency in a regional office of the United States Department of **Veterans** Affairs in California rendering services to **veterans** and their dependents and survivors.

(Amended by Stats. 2013, Ch. 186, Sec. 1. Effective January 1, 2014.)

CHAPTER 2. Rendering and Recovery for Benefits [720 - 721]

(Chapter 2 added by Stats. 1987, Ch. 1424, Sec. 1.)

721.

If any public agency which has rendered a service, provided benefits, or furnished assistance to a veteran determines that the costs of rendering the service or providing the benefits or assistance are recoverable from the United States Department of **Veterans** Affairs, it shall refer the matter to the **county veterans service officer**, where applicable, for action pursuant to Section 971 and shall assist the **county veterans service officer** in any way.

(Amended by Stats. 2013, Ch. 186, Sec. 2. Effective January 1, 2014.)

CHAPTER 5. Local Aid [920 - 975.5]

(Chapter 5 enacted by Stats. 1935, Ch. 389.)

951.5.

The public administrator of the **county** shall make every reasonable effort to determine if the unclaimed remains of a decedent referred to the public administrator belong to a veteran or the dependent of a veteran. If there is reason to believe that the remains belong to a veteran or the dependent of a veteran, the public administrator shall work with the **county** veteran **service officer**, a national **veterans** cemetery, the United States Social Security Administration, the United States Department of **Veterans** Affairs, or other applicable entity to determine if the remains belong to a veteran or the dependent of a veteran.

(Added by Stats. 2012, Ch. 722, Sec. 2. Effective January 1, 2013.)

955

(a) (1) A **county** veteran **service officer** that determines, pursuant to Section 951.5, that unclaimed remains are those of a veteran or dependent of a veteran, and that the remains meet the criteria for interment by a **veterans'** remains organization pursuant to Section 952, shall report the following information to the Department of **Veterans** Affairs:

(A) The name, rank, and branch of service of the deceased or, if the deceased is the dependent of a veteran, the name of the deceased and the name, rank, and branch of service of the eligible veteran.

(B) Dates of service.

(C) Location of the remains and a telephone number and name for the contact at that location.

(2) If, pursuant to Section 951.5, the public administrator of a **county** determines, without the involvement of the **county** veteran **service officer**, that the remains belong to a veteran or dependent of a veteran, the public administrator shall report this information to the **county** veteran **service officer**. Following this report, the **county** veteran **service officer** shall follow the reporting procedures described in paragraph (1).

(b) The Department of **Veterans** Affairs shall create and maintain a list of **veterans** and dependents of **veterans** whose remains are reported pursuant to subdivision (a). This list shall be available to the representatives of **veterans'** remains organizations by telephone or in person.

(Added by Stats. 2012, Ch. 722, Sec. 3. Effective January 1, 2013.)

970.

(a) The board of supervisors of each **county** may, but is not required to, appoint, prescribe the qualifications of, and fix the compensation of an officer to be titled "**county veterans service officer**." The appointee shall be a veteran.

(b) It shall be the duty of the **county veterans service officer** to administer the aid provided for in this chapter, to investigate all claims, applications, or requests for aid made pursuant to the terms of this chapter, and to perform any other veteran related services as requested by the **county** board of supervisors.

(c) Notwithstanding subdivision (a), two or more counties may jointly establish a single **county veterans** service office which shall serve all the counties that agree to the joint establishment of that office.

(Amended by Stats. 2013, Ch. 186, Sec. 5. Effective January 1, 2014.)

971.

(a) The **county veterans service officer** shall assist every veteran of any war of the United States and every qualified former member, and the dependents of every deceased veteran and every qualified former member, in presenting and pursuing any claim the veteran or the qualified former member may have against the United States and in establishing the veteran's or qualified former member's right to any privilege, preference, care, or compensation provided for by the laws of the United States or of this state.

(b) The **county veterans service officer** shall present and pursue claims against the United States referred by any public agency pursuant to Section 721.

(c) For purposes of this section, "qualified former member" means any former member of the United States Armed Forces, who is eligible under federal law to receive any **veterans** benefit from the United States Department of **Veterans** Affairs or any other agency of the federal government.

(Amended by Stats. 2013, Ch. 186, Sec. 6. Effective January 1, 2014.)

972.

(a) The board of supervisors may provide the **county veterans** service office with any assistance and facilities that it determines to be necessary.

(b) If the position of **veterans service officer** is created and filled, the compensation and expenses of the **county veterans** service office shall be a **county** charge, but the Department of **Veterans** Affairs, out of state moneys available therefor, shall pay each **county** a portion of those costs in an amount determined by the department, conditioned upon the observance of standards and regulations adopted by, and in compliance with the direction of, the department and its authorized representatives.

(c) State money available for paying counties any portion of the cost of the compensation and expenses of **county veterans** service offices shall not include any funds of the **Veterans'** Farm and Home Building Fund of 1943.

(Amended by Stats. 1992, Ch. 1274, Sec. 3. Effective January 1, 1993.)

972.1.

(a) The sum of five hundred thousand dollars (\$500,000) is hereby appropriated from the General Fund to the Department of **Veterans** Affairs for allocation, during the 1989–90 fiscal year, for purposes of funding the activities of **county veterans service officers** pursuant to this section. Funds for allocation in future years shall be as provided in the annual Budget Act.

(b) Funds shall be disbursed each fiscal year on a pro rata basis to counties that have established and maintain a **county veterans** service officer in accordance with the staffing level and workload of each **county veterans** service officer under a formula based upon performance that shall be developed by the Department of **Veterans** Affairs for these purposes.

(1) For the purposes of this section, “workload unit” means a specific claim activity that is used to allocate subvention funds to counties, which is approved by the department, and performed by **county veterans service officers**.

(2) For the purposes of this subdivision, the department, by June 30, 2013, shall develop a performance-based formula that will incentivize **county veterans** service officers to perform workload units that help **veterans** access federal compensation and pension benefits and other benefits, in order to maximize the amount of federal money received by California **veterans**.

(c) The department shall annually determine the amount of new or increased monetary benefits paid to eligible **veterans** by the federal government attributable to the assistance of **county veterans service officers**. The department shall, on or before October 1 of each year, prepare and transmit its determination for the preceding fiscal year to the Department of Finance and the Legislature. The Department of Finance shall review the department’s determination in time to use the information in the annual Budget Act for the budget of the department for the next fiscal year.

(d) The department shall conduct a review of the high-performing and low-performing **county veterans service officer**s and based on this review, shall produce a best-practices manual for **county veterans service officer**s by June 30, 2013.

(e) (1) The Legislature finds and declares that 50 percent of the amount annually budgeted for **county veterans service officer**s is approximately eleven million dollars (\$11,000,000). The Legislature further finds and declares that it is an efficient and reasonable use of state funds to increase the annual budget for **county veterans service officer**s in an amount not to exceed eleven million dollars (\$11,000,000) if it is justified by the monetary benefits to the state’s **veterans** attributable to the effort of these officers.

(2) It is the intent of the Legislature, after reviewing the department’s determination in subdivision (c), to consider an increase in the annual budget for **county veterans service officer**s in an amount not to exceed five million dollars (\$5,000,000), if the monetary benefits to the state’s **veterans** attributable to the assistance of **county veterans service officer**s justify that increase in the budget.

(f) This section shall remain in effect only until January 1, 2016, and as of that date is repealed.

(Amended (as amended by Stats. 2012, Ch. 32) by Stats. 2012, Ch. 401, Sec. 3. Effective January 1, 2013. Repealed as of January 1, 2016, by its own provisions. See later operative version, as amended by Sec. 2 of Ch. 401.)

972.5.

(a) The Department of **Veterans** Affairs may enter into an agreement with the State Department of Health Services and the State Department of Social Services for purposes of obtaining federal matching funds for the Department of **Veterans** Affairs to contribute toward the salaries and expenses of **county** veteran **service officer**s for their activities which are reasonably related to the programs of the State Department of Health Services

and the State Department of Social Services which are benefited, or realize cost avoidance, as a result of the services of those officers.

(b) At such time as the United States Department of Health and Human Services makes available additional federal financial participation, the State Department of Social Services may enter into an agreement with the Department of **Veterans** Affairs for those **county** veteran **service officers**' activities specified in subdivision (a). Such an agreement shall have no adverse impact on the General Fund.

(c) The sums obtained each fiscal year pursuant to subdivision (a) shall be disbursed by the Department of **Veterans** Affairs to counties for payment of salaries and expenses of **county** veteran **service officers**. The Department of **Veterans** Affairs shall make the disbursement to a **county** on a pro rata basis in accordance with the actual workload of each **county** veteran **service officer** under a formula based on performance to be developed by the Department of **Veterans** Affairs for these purposes.

(Amended by Stats. 1989, Ch. 474, Sec. 1.)

973.

The **county** veteran **service officer** shall have power to administer and certify oaths and affirmations, take and certify affidavits and acknowledgments, and exercise any other power of a notary public, as a part of his duties under the provisions of this chapter in assisting **veterans** with respect to their affairs. The **county** veteran **service officer** shall not charge any fee for such service.

(Amended by Stats. 1965, Ch. 436.)

974.

(a) The Department of **Veterans** Affairs shall annually prepare a report of the activities of **county veterans service officers**, and may require each **county veterans service officer** to submit information required to prepare the report. The report shall include the following:

(1) The number of **veterans** and their family members who have contacted or utilized the services of the **county veterans** service offices during the fiscal year.

(2) The number of claims filed to achieve benefits such as pension, disability compensation, and health care on behalf of **veterans** and their dependents.

(3) The annualized monetary value of benefits received by **veterans** and their dependents as a result of the efforts of **county veterans** service offices, broken down by type of benefit.

(4) A summary of other services provided by **county veterans** service offices and special events and activities in which **county veterans** service offices participated, such as **veterans** outreach events, homeless veteran "Stand Downs," and job fairs for **veterans**.

(b) The information required to be included in paragraphs (1) to (3), inclusive, of subdivision (a) shall be set forth for each **county** together with a statewide total.

(c) The department shall transmit a copy of the report to the Department of Finance, the State Department of Health Care Services, the California **Veterans** Board, and to each Member of the Legislature.

(Amended by Stats. 2012, Ch. 401, Sec. 4. Effective January 1, 2013.)

975.5.

(a) The Department of **Veterans** Affairs shall provide for one paid **veterans** assistant position within the office of the **county** veteran **service officer** for the **County** of Los Angeles. The department shall establish one similar position for the **County** of San Diego and one similar position for the City and **County** of San Francisco.

(b) The **veterans** assistants employed under subdivision (a) shall conduct outreach programs in order to make **veterans** aware of readjustment counseling services and alcohol and drug abuse programs offered by community-based organizations and city, **county**, and federal agencies. The **veterans** assistants shall advise and counsel **veterans** concerning readjustment counseling programs and refer **veterans** to appropriate community-based or city, **county**, or federal counseling programs.

(Amended by Stats. 1994, Ch. 372, Sec. 3. Effective January 1, 1995.)

DIVISION 8: VETERANS WELFARE

CHAPTER 1. Solicitation for **Veterans' Benefits [1800 - 1802]**

(Chapter 1 added by Stats. 1953, Ch. 68.)

1800: As used in Section 1801:

(a) "**Veterans**' organizations" means any duly congressionally recognized or chartered organization of honorably discharged members of the Armed Forces of the United States, or any of their auxiliaries, including, but not limited to, the Air Force Sergeants Association, American Ex-Prisoners of War, American Legion, American **Veterans**, Armed Forces Retirees Association of California, Association of the United States Army, Blinded **Veterans** Association, California Association of **County Veterans Service Officers**, California State Commanders **Veterans** Council, Disabled American **Veterans**, Fleet Reserve Association, Jewish War **Veterans**, Legion of Valor, Marine Corps League, Military Officers Association of America, Military Order of the Purple Heart, National Association for Uniformed Services, Paralyzed **Veterans** of America, Reserve Officers Association, Retired Enlisted Association, **Veterans** of Foreign Wars, Vietnam **Veterans** of America, or WAVES National.

(b) "Poppy" means any article fashioned of cloth, paper, or other material which represents or resembles the poppy or other flower.

(c) “Badge” means any badge, rosette, lapel button, or other insignia of any **veterans**’ organization or any imitation thereof.

(d) “Label” means any card, paper, sign, certificate, banner, or other material containing the name of or a similar name to that of any **veterans**’ organization.

(Amended by Stats. 2006, Ch. 206, Sec. 1. Effective January 1, 2007.)

CHAPTER 4. **Veterans In State Prison [1840- 1840.]**
(Chapter 4 added by Stats. 2012, Ch. 407, Sec. 1.)

1840:

The Department of Corrections and Rehabilitation shall develop guidance policies relative to the release of **veterans** who are inmates. The policies shall be developed with the intent to assist **veterans** who are inmates in pursuing claims for federal **veterans**’ benefits, or in establishing rights to any other privilege, preference, care, or compensation provided under federal or state law because of honorable service in the military. In developing the policies, the department may coordinate with the Department of **Veterans** Affairs and the **county veterans service officer** or **veterans** service organizations.

(Added by Stats. 2012, Ch. 407, Sec. 1. Effective January 1, 2013.)

CIVIL CODE – CIV

DIVISION 3. OBLIGATIONS [1427 - 3272.9]

(Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14.)

**PART 4. OBLIGATIONS ARISING FROM PARTICULAR
TRANSACTIONS [1738 - 3273]**

(Part 4 enacted 1872.)

1798.85.

(a) Except as provided in this section, a person or entity may not do any of the following:

(1) Publicly post or publicly display in any manner an individual’s social security

...

(6) Sell, advertise for sale, or offer to sell an individual’s social security number. For purposes of this paragraph, the following apply:

(B) “Sell” shall not include the release of an individual’s social security number for a purpose specifically authorized or specifically allowed by federal or state law.

(c) This section does not prevent an adult state correctional facility, an adult city jail, or an adult **county** jail from releasing an inmate's social security number, with the inmate's consent and upon request by the **county veterans service officer** or the United States Department of **Veterans** Affairs, for the purposes of determining the inmate's status as a military veteran and his or her eligibility for federal, state, or local **veterans**' benefits or services.

...

(Amended by Stats. 2014, Ch. 855, Sec. 3. Effective January 1, 2015.)

GOVERNMENT CODE - GOV

TITLE 3. GOVERNMENT OF COUNTIES [23000 - 33205]

(Title 3 added by Stats. 1947, Ch. 424.)

DIVISION 2. OFFICERS [24000 - 28085]

(Division 2 added by Stats. 1947, Ch. 424.)

CHAPTER 1. **County Officers [24000 - 24012]**

(Chapter 1 added by Stats. 1947, Ch. 424.)

24011.

Notwithstanding the provisions of Section 24009:

(b) The Boards of Supervisors of Lake **County**, Madera **County**, Mendocino **County**, Napa **County**, Trinity **County**, and Tuolumne **County** may appoint the same person to the offices of public administrator, **veteran service officer**, and public guardian. The Boards of Supervisors of Amador **County**, Contra Costa **County**, Glenn **County**, Kings **County**, Lassen **County**, Monterey **County**, Solano **County**, Sonoma **County**, and Ventura **County**, may, by ordinance, appoint the same person to the offices of public administrator and public guardian.

(Amended by Stats. 2014, Ch. 113, Sec. 1. Effective January 1, 2015.)

24012.

Notwithstanding the provisions of Section 24009, the Board of Supervisors of the **County** of Del Norte may, by ordinance, provide that the office of public administrator shall be filled by appointment by the board. In the **County** of Del Norte, the same person may be appointed to hold the offices of public administrator, public guardian, and **county veteran** services officer simultaneously.

(Added by Stats. 1984, Ch. 214, Sec. 1. Effective June 20, 1984.)

PENAL CODE - PEN

TITLE 1. IMPRISONMENT OF MALE PRISONERS IN STATE PRISONS [2000 - 3105]

(Title 1 repealed and added by Stats. 1941, Ch. 106.)

CHAPTER 4. Treatment of Prisoners [2650 - 2695]

(Chapter 4 added by Stats. 1941, Ch. 106.)

ARTICLE 6. **Veterans** In State Prisons [2695 - 2695.5]

(Article 6 added by Stats. 2012, Ch. 407, Sec. 2.)

2695.

The Department of Corrections and Rehabilitation shall develop guidance policies relative to the release of **veterans** who are inmates. The policies shall be developed with the intent to assist **veterans** who are inmates in pursuing claims for federal **veterans'** benefits, or in establishing rights to any other privilege, preference, care, or compensation provided under federal or state law because of honorable service in the military. In developing the policies, the department may coordinate with the Department of **Veterans** Affairs and the **county veterans service officer** or **veterans** service organizations.

(Added by Stats. 2012, Ch. 407, Sec. 2. Effective January 1, 2013.)

2695.2.

(a) The advocate shall be authorized to develop a **veterans** economic recidivism prevention plan for each inmate who is a veteran during the 180-day period preceding the inmate's release date.

(b) The **veterans** economic recidivism prevention plan for each inmate who is a veteran shall include, but not be limited to, the following:

(1) Facilitating access of the inmate to **county veterans service officers**, California Department of **Veterans** Affairs and United States Department of **Veterans** Affairs officers and personnel, so that the inmate may pursue claims for federal **veterans'** benefits or any other privilege, preference, care, or compensation provided under federal or state law because of the inmate's service in the military.

(2) Developing a plan for how the inmate will access earned **veterans'** benefits that he or she may be eligible for upon the inmate's release.

(c) In order to assist with the development and execution of the **veterans** economic recidivism prevention plan, the Department of Corrections and Rehabilitation shall do both of the following:

(1) (A) Facilitate access by the advocate to each inmate who is a veteran.

(B) Access by the advocate is subject to those department screening and clearance guidelines and training requirements that are imposed on other visitors and volunteers.

(C) Access by the advocate shall be allowed to the extent it does not pose a threat to the security or safety of the facility, or to inmates and staff.

(2) Provide the advocate with access to existing resources, including, but not limited to, computer and Internet access, that would assist the advocate in implementing the **veterans** economic recidivism prevention plan, to the extent it does not pose a threat to the security or safety of the facility, or to inmates and staff.

(d) A copy of the **veterans** economic recidivism prevention plan shall be provided to the inmate prior to the inmate's release.

(Added by Stats. 2014, Ch. 652, Sec. 3. Effective January 1, 2015.)

2695.4.

The advocate shall coordinate with the California Department of **Veterans** Affairs and the **county veterans service officer** in the **county** in which the facility is located for advice, assistance, and training, and to evaluate the effectiveness of the **veterans** economic recidivism prevention plan.

(Added by Stats. 2014, Ch. 652, Sec. 5. Effective January 1, 2015.)

TITLE 3. ADDITIONAL PROVISIONS REGARDING CRIMINAL PROCEDURE [777 - 883]

(Heading of Title 3 amended by Stats. 1951, Ch. 1674.)

CHAPTER 7. Examination of the Case, and Discharge of the Defendant, or Holding Him to Answer [858 - 883]

(Chapter 7 enacted 1872.)

858.

(a) When the defendant first appears for arraignment on a charge of having committed a public offense, the magistrate shall immediately inform the defendant of the charge against him or her, and of his or her right to the aid of counsel in every stage of the proceedings.

(b) If it appears that the defendant may be a minor, the magistrate shall ascertain whether that is the case, and if the magistrate concludes that it is probable that the defendant is a minor, and unless the defendant is a member of the Armed Forces of the United States and the offense charged is a misdemeanor, he or she shall immediately either notify the parent or guardian of the minor of the arrest or appoint counsel to represent the minor.

(c) For the purposes of this section, the Judicial Council shall revise its military service form to include information explaining the rights under Section 1170.9 and related statutes of individuals who have active duty or veteran status and shall include a space for

the local court to provide the contact information for the **county veterans** service office. For purposes of this section, “active duty or veteran status” includes active military duty service, reserve duty status, national guard service, and veteran status.

(d) The court shall inform the defendant that there are certain provisions of law specifically designed for individuals who have active duty or veteran status and who have been charged with a crime. The court shall inform the defendant that if the defendant is on active duty in the United States military, or is a veteran of the United States military, the defendant may request a copy of the Judicial Council military form that explains those rights and may file that form with the court so that the defendant’s active duty or veteran status is on file with the court. The court shall advise the defendant that the defendant should consult with counsel prior to submitting the form and that the defendant may, without penalty, decline to provide this information to the court.

(e) If the defendant acknowledges active duty or veteran status and submits the Judicial Council military service form to the court, the defendant shall file the form with the court and serve the form on the prosecuting attorney and defense counsel. The form may be used to assist in determining eligibility for services pursuant to Section 1170.9. The court shall transmit a copy of the form to the **county veterans service officer** for confirmation of the defendant’s military service. The court shall also transmit a copy of the form to the Department of **Veterans** Affairs.

(Amended by Stats. 2014, Ch. 655, Sec. 1. Effective January 1, 2015.)

TITLE 6. PLEADINGS AND PROCEEDINGS BEFORE TRIAL [976 - 1054.10]

(Heading of Title 6 amended by Stats. 1951, Ch. 1674.

CHAPTER 2.9C. Military Diversion Program [1001.80- 1001.80.]

(Chapter 2.9C added by Stats. 2014, Ch. 658, Sec. 1.)

1001.80.

(a) This chapter shall apply whenever a case is before a court on an accusatory pleading alleging the commission of a misdemeanor offense, and both of the following apply to the defendant:

...

(d) If a referral is made to the **county** mental health authority as part of the pretrial diversion program, the **county** shall be obligated to provide mental health treatment services only to the extent that resources are available for that purpose, as described in paragraph (5) of subdivision (b) of Section 5600.3 of the Welfare and Institutions Code. If mental health treatment services are ordered by the court, the **county** mental health agency shall coordinate appropriate referral of the defendant to the **county veterans service officer**, as described in paragraph (5) of subdivision (b) of Section 5600.3 of the Welfare and Institutions Code. The **county** mental health agency shall not be responsible

for providing services outside its traditional scope of services. An order shall be made referring a defendant to a **county** mental health agency only if that agency has agreed to accept responsibility for all of the following:

(1) The treatment of the defendant.

(2) The coordination of appropriate referral to a **county veterans service officer**.

(3) The filing of reports pursuant to subdivision (h).

(e) When determining the requirements of a pretrial diversion program pursuant to this chapter, the court shall assess whether the defendant should be ordered to participate in a federal or community-based treatment service program with a demonstrated history of specializing in the treatment of mental health problems, including substance abuse, post-traumatic stress disorder, traumatic brain injury, military sexual trauma, and other related mental health problems.

(f) The court, in making an order pursuant to this section to commit a defendant to an established treatment program, shall give preference to a treatment program that has a history of successfully treating **veterans** who suffer from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of military service, including, but not limited to, programs operated by the United States Department of Defense or the United States Department of **Veterans** Affairs.

(g) The court and the assigned treatment program may collaborate with the Department of **Veterans** Affairs and the United States Department of **Veterans** Affairs to maximize benefits and services provided to the veteran.

(Added by Stats. 2014, Ch. 658, Sec. 1. Effective January 1, 2015.)

TITLE 7. OF PROCEEDINGS AFTER THE COMMENCEMENT OF THE TRIAL AND BEFORE JUDGMENT [1065 - 1188]

(Title 7 enacted 1872.)

CHAPTER 4.5. Trial Court Sentencing [1170 - 1170.9]

(Chapter 4.5 added by Stats. 1976, Ch. 1139.)

ARTICLE 1. Initial Sentencing [1170 - 1170.91]

(Article 1 added by Stats. 1976, Ch. 1139.)

1170.9.

(a) In the case of any person convicted of a criminal offense who could otherwise be sentenced to **county** jail or state prison and who alleges that he or she committed the offense as a result of sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems stemming from service in the United States military, the court shall, prior to sentencing, make a determination as to whether the defendant was, or currently is, a member of the United States military and whether the defendant may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of his or her

service. The court may request, through existing resources, an assessment to aid in that determination.

(b) (1) If the court concludes that a defendant convicted of a criminal offense is a person described in subdivision (a), and if the defendant is otherwise eligible for probation, the court shall consider the circumstances described in subdivision (a) as a factor in favor of granting probation.

(2) If the court places the defendant on probation, the court may order the defendant into a local, state, federal, or private nonprofit treatment program for a period not to exceed that period which the defendant would have served in state prison or **county** jail, provided the defendant agrees to participate in the program and the court determines that an appropriate treatment program exists.

(c) If a referral is made to the **county** mental health authority, the **county** shall be obligated to provide mental health treatment services only to the extent that resources are available for that purpose, as described in paragraph (5) of subdivision (b) of Section 5600.3 of the Welfare and Institutions Code. If mental health treatment services are ordered by the court, the **county** mental health agency shall coordinate appropriate referral of the defendant to the **county veterans service officer**, as described in paragraph (5) of subdivision (b) of Section 5600.3 of the Welfare and Institutions Code. The **county** mental health agency shall not be responsible for providing services outside its traditional scope of services. An order shall be made referring a defendant to a **county** mental health agency only if that agency has agreed to accept responsibility for the treatment of the defendant.

(d) When determining the “needs of the defendant,” for purposes of Section 1202.7, the court shall consider the fact that the defendant is a person described in subdivision (a) in assessing whether the defendant should be placed on probation and ordered into a federal or community-based treatment service program with a demonstrated history of specializing in the treatment of mental health problems, including substance abuse, post-traumatic stress disorder, traumatic brain injury, military sexual trauma, and other related mental health problems.

(e) A defendant granted probation under this section and committed to a residential treatment program shall earn sentence credits for the actual time the defendant serves in residential treatment.

(f) The court, in making an order under this section to commit a defendant to an established treatment program, shall give preference to a treatment program that has a history of successfully treating **veterans** who suffer from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of that service, including, but not limited to, programs operated by the United States Department of Defense or the United States Department of **Veterans** Affairs.

(g) The court and the assigned treatment program may collaborate with the Department of **Veterans** Affairs and the United States Department of **Veterans** Affairs to maximize benefits and services provided to the veteran.

(Amended by Stats. 2014, Ch. 163, Sec. 1. Effective January 1, 2015.)

VEHICLE CODE - VEH

DIVISION 6. DRIVERS' LICENSES [12500 - 15325]

(*Heading of Division 6 amended by Stats. 1961, Ch. 1615.*)

CHAPTER 1. Issuance of Licenses, Expiration, and Renewal [12500 - 13008]

(*Chapter 1 enacted by Stats. 1959, Ch. 3.*)

ARTICLE 3. Issuance and Renewal of Licenses [12800 - 12819]

(*Article 3 enacted by Stats. 1959, Ch. 3.*)

12811.

...

(c) (1) All applications for a driver's license or identification card shall contain a space for an applicant to indicate whether he or she has served in the Armed Forces of the United States and to give his or her consent to be contacted regarding eligibility to receive state or federal **veteran**s benefits. The application shall contain the following statement:

“By marking the **veteran** box on this application, I certify that I am a **veteran** of the United States Armed Forces and that I want to receive **veteran**s benefits information from the California Department of **Veteran**s Affairs. By marking the **veteran** box on this application, I also consent to DMV transmitting my name and mailing address to the California Department of **Veteran**s Affairs for this purpose only, and I certify that I have been notified that this transmittal will occur.”

(2) The department shall collect the information obtained pursuant to paragraph (1).

(3) As mutually agreed between the department and the Department of **Veteran**s Affairs, the department shall electronically transmit to the Department of **Veteran**s Affairs the following information on each applicant who has identified that he or she has served in the Armed Forces of the United States since the last data transfer and has consented to be contacted about **veteran**s benefits:

(A) His or her true full name.

(B) His or her mailing address.

(4) Information obtained by the Department of **Veteran**s Affairs for the purposes of this subdivision shall be used for the purpose of assisting individuals to access **veteran**s benefits and shall not be disseminated except as needed for this purpose.

(5) Commencing November 11, 2015, an in-person application for a driver's license or identification card shall allow an applicant to request the word “**VETERAN**” be printed

on the face of the driver's license or identification card. A verification form shall be developed by the Department of **Veterans** Affairs in consultation with the Department of Motor Vehicles and the California Association of **County Veterans Service Officers** to acknowledge verification of **veteran** status. A **county veterans** service office shall verify the **veteran**'s status as a **veteran**, sign the verification form, and return it to the **veteran**. The Department of Motor Vehicles shall accept the signed verification form as proof of **veteran** status. Upon payment of the fee required pursuant to Section 14901.1, the word "**VETERAN**" shall be printed on the face of a driver's license or identification card, in a location determined by the department, and issued to a person who makes this request and presents the verification form to the department.

(Amended by Stats. 2014, Ch. 644, Sec. 1. Effective January 1, 2015.)

WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18996]

(Division 9 added by Stats. 1965, Ch. 1784.)

PART 2. THE BRONZAN-MCCORQUODALE ACT [5600 - 5772]

(Heading of Part 2 amended by Stats. 1992, Ch. 1374, Sec. 14.)

CHAPTER 1. General Provisions [5600 - 5623.5]

(Chapter 1 added by Stats. 1968, Ch. 989.)

5600.3.

To the extent resources are available, the primary goal of the use of funds deposited in the mental health account of the local health and welfare trust fund should be to serve the target populations identified in the following categories, which shall not be construed as establishing an order of priority:

(a) (1) Seriously emotionally disturbed children or adolescents.

(2) For the purposes of this part, "seriously emotionally disturbed children or adolescents" means minors under the age of 18 years who have a mental disorder as identified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, other than a primary substance use disorder or developmental disorder, which results in behavior inappropriate to the child's age according to expected developmental norms. Members of this target population shall meet one or more of the following criteria:

(A) As a result of the mental disorder, the child has substantial impairment in at least two of the following areas: self-care, school functioning, family relationships, or ability to function in the community; and either of the following occur:

(i) The child is at risk of removal from home or has already been removed from the home.

(ii) The mental disorder and impairments have been present for more than six months or are likely to continue for more than one year without treatment.

(B) The child displays one of the following: psychotic features, risk of suicide or risk of violence due to a mental disorder.

(C) The child meets special education eligibility requirements under Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code.

(b) (1) Adults and older adults who have a serious mental disorder.

(2) For the purposes of this part, “serious mental disorder” means a mental disorder that is severe in degree and persistent in duration, which may cause behavioral functioning which interferes substantially with the primary activities of daily living, and which may result in an inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period of time. Serious mental disorders include, but are not limited to, schizophrenia, bipolar disorder, post-traumatic stress disorder, as well as major affective disorders or other severely disabling mental disorders. This section shall not be construed to exclude persons with a serious mental disorder and a diagnosis of substance abuse, developmental disability, or other physical or mental disorder.

(3) Members of this target population shall meet all of the following criteria:

(A) The person has a mental disorder as identified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, other than a substance use disorder or developmental disorder or acquired traumatic brain injury pursuant to subdivision (a) of Section 4354 unless that person also has a serious mental disorder as defined in paragraph (2).

(B) (i) As a result of the mental disorder, the person has substantial functional impairments or symptoms, or a psychiatric history demonstrating that without treatment there is an imminent risk of decompensation to having substantial impairments or symptoms.

(ii) For the purposes of this part, “functional impairment” means being substantially impaired as the result of a mental disorder in independent living, social relationships, vocational skills, or physical condition.

(C) As a result of a mental functional impairment and circumstances, the person is likely to become so disabled as to require public assistance, services, or entitlements.

(4) For the purpose of organizing outreach and treatment options, to the extent resources are available, this target population includes, but is not limited to, persons who are any of the following:

(A) Homeless persons who are mentally ill.

(B) Persons evaluated by appropriately licensed persons as requiring care in acute treatment facilities including state hospitals, acute inpatient facilities, institutes for mental disease, and crisis residential programs.

(C) Persons arrested or convicted of crimes.

(D) Persons who require acute treatment as a result of a first episode of mental illness with psychotic features.

(5) California **veteran** in need of mental health services and who meet the existing eligibility requirements of this section, shall be provided services to the extent services are available to other adults pursuant to this section. **Veterans** who may be eligible for mental health services through the United States Department of **Veterans** Affairs should be advised of these services by the **county** and assisted in linking to those services.

(A) No eligible **veteran** shall be denied **county** mental health services based solely on his or her status as a **veteran**.

(B) Counties shall refer a **veteran** to the **county veterans service officer**, if any, to determine the **veteran**'s eligibility for, and the availability of, mental health services provided by the United States Department of **Veterans** Affairs or other federal health care provider.

(C) Counties should consider contracting with community-based **veterans**' services agencies, where possible, to provide high-quality, **veteran** specific mental health services.

(c) Adults or older adults who require or are at risk of requiring acute psychiatric inpatient care, residential treatment, or outpatient crisis intervention because of a mental disorder with symptoms of psychosis, suicidality, or violence.

(d) Persons who need brief treatment as a result of a natural disaster or severe local emergency.

(Amended by Stats. 2008, Ch. 591, Sec. 1. Effective January 1, 2009.)

PART 3. AID AND MEDICAL ASSISTANCE [11000 - 15766]

(Part 3 added by Stats. 1965, Ch. 1784.)

CHAPTER 7. Basic Health Care [14000 - 14199.2]

(Chapter 7 added by Stats. 1965, 2nd Ex. Sess., Ch. 4.)

ARTICLE 3. Administration [14100 - 14124.11]

(Article 3 added by Stats. 1965, 2nd Ex. Sess., Ch. 4.)

14124.11.

(a) The department shall establish a two-year pilot program to utilize the federal Public Assistance Reporting Information System (PARIS) to identify **veterans** and their dependents or survivors who are enrolled in the Medi-Cal program and assist them in obtaining federal **veteran** health care benefits.

(b) The department shall select three consenting counties that have in operation a United States Department of **Veterans** Affairs (USDVA) medical center to participate in the pilot program.

(c) Under the pilot program, the department shall exchange information with PARIS and identify **veterans** and their dependents or survivors who are receiving Medi-Cal benefits in the pilot program counties.

(d) The department shall refer identified Medi-Cal beneficiaries who are receiving high-cost services, including long-term care, to **county veteran service officers** (CVSOs) to obtain information regarding, and assistance in obtaining, USDVA benefits.

(e) Prior to commencement of the pilot program, the department shall do all of the following:

(1) Enter into an agreement with the California Department of **Veterans** Affairs (CDVA) to perform CVSO outreach services in connection with the pilot program. The CDVA agreement shall contain performance standards that would allow the department to measure the effectiveness of the pilot program.

(2) Enter into any agreements that are required by the federal government to utilize the PARIS system.

(3) Perform any information technology activities that are necessary to utilize the PARIS system.

(f) The department shall monitor the two-year pilot program, evaluate the outcomes and savings, and provide the fiscal committees of the Legislature with a report on the findings and recommendations. If the department determines that the pilot program is cost effective, it may implement the program statewide at any time and continue operation of PARIS indefinitely.

(g) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the department may implement, interpret, or make specific, this section by means of written directives without taking further regulatory action.

(h) The department shall implement the pilot program by July 1, 2009.

(i) In order to achieve maximum cost savings the Legislature hereby determines that an expedited contract process for contracts under this section is necessary. Therefore, contracts under this section shall be exempt from the Public Contract Code and from Chapter 3 (commencing with Section 11250) of Part 1 of Division 3 of Title 2 of the Government Code.

(Added by Stats. 2008, Ch. 758, Sec. 48. Effective September 30, 2008.)

UNEMPLOYMENT INSURANCE CODE

Why not CVSO's?

➤ **325.5. The department, in consultation and coordination with veterans' organizations and veteran service providers, shall do all of the following:**

(a) Research the needs of veterans throughout the state and

- develop a profile of veterans' employment and training needs.
- (b) Develop a statewide plan for the equitable distribution of employment funds for veterans' employment services.
 - (c) Seek federal funding for purposes of subdivision (a).

EDUCATION CODE

Fee Waiver. (CVSO's not mentioned in this section)

66025.3. (a) No campus of the University of California, the California State University, or the California Community Colleges shall charge any mandatory systemwide tuition or fees, including enrollment fees, registration fees, differential fees, or incidental fees, to any of the following:

(1) Any dependent eligible to receive assistance under Article 2 (commencing with Section 890) of Chapter 4 of Division 4 of the Military and Veterans Code.

(2) (A) Any child of any veteran of the United States military who has a service-connected disability, has been killed in service, or has died of a service-connected disability, where the annual income of the child, including the value of any support received from a parent, does not exceed the national poverty level as defined in subdivision (c).

(B) Notwithstanding Section 893 of the Military and Veterans Code, the Department of Veterans Affairs may determine the eligibility for fee waivers for a child described in subparagraph (A).

(3) Any dependent, or surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty, and while in the active service of the state, was killed, died of a disability resulting from an event that occurred while in the active service of the state, or is permanently disabled as a result of an event that occurred while in the active service of the state. For the purposes of this paragraph, "active service of the state" refers to a member of the California National Guard activated pursuant to Section 146 of the Military and Veterans Code.

(4) (A) Any undergraduate student who is a recipient of a Medal of Honor, commonly known as a Congressional Medal of Honor, or any undergraduate student who is a child of a recipient of a Medal of Honor and who is no more than 27 years old, if both of the following requirements are met:

(i) His or her annual income, including the value of any support received from a parent, does not exceed the national poverty level as defined in subdivision (c).

(ii) The recipient of the Medal of Honor who is or was the parent of the undergraduate student is, or at the time of his or her death was, a California resident as determined pursuant to Chapter 1 (commencing with Section 68000) of Part 41.

(B) The Department of Veterans Affairs shall determine the eligibility of any applicant for a fee waiver under this paragraph.

(b) A person who is eligible for a waiver of tuition or fees under

this section may receive a waiver for each academic year during which he or she applies for that waiver, but an eligible person may not receive a waiver of tuition or fees for a prior academic year.

(c) As used in this section, the "national poverty level" is the poverty threshold for one person, as most recently calculated by the Bureau of the Census of the United States Department of Commerce.

(d) The waiver of tuition or fees under this section shall apply only to a person who is determined to be a resident of California pursuant to Chapter 1 (commencing with Section 68000) of Part 41.

(e) This section shall not apply to a dependent of a veteran within the meaning of paragraph (4) of subdivision (a) of Section 890 of the Military and Veterans Code.

(f) No provision of this section shall apply to the University of California except to the extent that the Regents of the University of California, by appropriate resolution, make that provision applicable.