

HOUSE BILL No. 5549

April 13, 2016, Introduced by Rep. Howell and referred to the Committee on Military and Veterans Affairs.

A bill to amend 1946 (1st Ex Sess) PA 9, entitled

"An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act,"

by amending section 2 (MCL 35.602).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. ~~For the purposes of the administration of~~ **AS USED IN**
2 this act, a ~~Michigan~~ "veteran" as defined by ~~Act No. 190 of the~~
3 ~~Public Acts of 1965, as amended, shall be deemed to be a person,~~
4 ~~male or female, whose~~ **MEANS AN INDIVIDUAL WHO MEETS ALL OF THE**
5 **FOLLOWING:**

6 **(A) IS A VETERAN AS DEFINED IN SECTION 1 OF 1965 PA 190, MCL**
7 **35.61.**

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1 (B) IS A LEGAL RESIDENT OF THIS STATE OR WAS A legal residence
 2 RESIDENT OF THIS STATE immediately prior to entering the service
 3 was in Michigan, who entered upon or was in active service in the
 4 armed forces of the United States, at any time for at least 180
 5 days from and after the date as defined by Act No. 190 of the
 6 Public Acts of 1965, as amended, being sections 35.61 and 35.62 of
 7 the Michigan Compiled Laws or Vietnam era, as determined for the
 8 purposes of administration of this act, whether by induction,
 9 enlistment, commission, warrant, or otherwise, and who has been
 10 honorably discharged, retired, or separated therefrom, or who has
 11 reverted to an inactive status therefrom under honorable
 12 conditions. However, former members of the women's auxiliary army
 13 corps who refused to accept transfer to or induction into the
 14 women's army corps shall not be deemed to be veterans within the
 15 meaning of this definition. A veteran who did not have legal
 16 residence in Michigan immediately prior to entering the military
 17 service may become eligible to benefits administered under this act
 18 after having established a legal residence in Michigan. A veteran
 19 UNITED STATES ARMED FORCES. HOWEVER, AN INDIVIDUAL whose legal
 20 residence was in Michigan THIS STATE prior to entering military
 21 service will lose his rights under this act by leaving this state
 22 THE UNITED STATES ARMED FORCES DOES NOT MEET THE REQUIREMENT OF
 23 THIS SUBDIVISION IF HE OR SHE LEAVES THIS STATE for a period of
 24 time exceeding 2 years. A person

25 (C) HE OR SHE SERVED IN ACTIVE SERVICE IN THE UNITED STATES
 26 ARMED FORCES DURING A PERIOD OF WAR [] FOR
 27 AT LEAST 180 DAYS AND WAS HONORABLY DISCHARGED FROM THE UNITED

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1 ~~STATES ARMED FORCES. HOWEVER, AN INDIVIDUAL who shall have been~~
 2 ~~separated FROM THE UNITED STATES ARMED FORCES for reason of~~
 3 ~~physical or mental disability incurred in the line of duty prior to~~
 4 ~~the completion of 180 days' service shall be considered a veteran~~
 5 ~~for the purpose of the administration of this act. World War II~~
 6 ~~shall be deemed to be that period from and after August 27, 1940,~~
 7 ~~to the inclusive date of June 30, 1946. Grants made to eligible~~
 8 ~~Michigan veterans between June 30, 1946, and the effective date of~~
 9 ~~this act are declared valid. A person otherwise qualified with at~~
 10 ~~least 90 days of service during World War I, Spanish American War~~
 11 ~~or Mexican Wars, as defined in Act No. 190 of the Public Acts of~~
 12 ~~1965, as amended, shall be deemed a veteran for the purposes of~~
 13 ~~this act.~~ **IS CONSIDERED TO MEET THE REQUIREMENT OF THIS SUBDIVISION. [AS**
USED IN THIS SUBDIVISION, "PERIOD OF WAR" MEANS THAT PHRASE AS DESCRIBED
IN 38 CFR 3.2, EXCEPT THAT FOR PURPOSES OF THIS SUBDIVISION, "PERIOD OF
WAR" FOR THE VIETNAM ERA MEANS THE FOLLOWING:
 (i) **FEBRUARY 28, 1961 THROUGH MAY 7, 1975 FOR A VETERAN WHO SERVED**
DURING THAT PERIOD.
 (ii) **ON OR AFTER JANUARY 31, 1955 IN AN AREA OF HAZARDOUS DUTY FOR**
WHICH THE VETERAN RECEIVED AN ARMED FORCES EXPEDITIONARY MEDAL OR VIETNAM
SERVICE MEDAL.]

14 Enacting section 1. This amendatory act takes effect 90 days
 15 after the date it is enacted into law.

16 Enacting section 2. This amendatory act does not take effect
 17 unless House Bill No. 5332 of the 98th Legislature is enacted into
 18 law.