

ALLOW CLOSED SESSION FOR DISCUSSING VETERANS' APPLICATIONS FOR BENEFITS

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Senate Bill 10 (H-2) as reported from House committee

Sponsor: Sen. Lana Theis

House Committee: Military, Veterans and Homeland Security

Senate Committee: Families, Seniors, and Veterans

Complete to 5-6-21

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 31 of 2021)

BRIEF SUMMARY: Senate Bill 10 would amend the Open Meetings Act to allow a county veteran services committee to meet in a closed session to interview a veteran or his or her spouse or dependent regarding an application for benefits or financial assistance and to discuss the application.

FISCAL IMPACT: The bill would have no fiscal impact on the state or local units of government.

THE APPARENT PROBLEM:

United States service members can experience extreme difficulties when returning from active duty. Various programs are available to them to help with the transition, including financial assistance. An application and interview process is required, which can reveal private and deeply intimate information about the applicant and his or her family. However, this process is currently open to the public under the Open Meetings Act. The bill seeks to provide appropriate privacy to returning service members seeking assistance through a county veteran services committee.

THE CONTENT OF THE BILL:

The Open Meetings Act generally prohibits closed sessions of a public body, but several specific exceptions are allowed.

The bill would allow a *county veteran services committee* to meet in a closed session to interview a veteran or a veteran's spouse or dependent regarding an application for benefits or financial assistance and to discuss the application, if the applicant requests a closed hearing. However, this exception would not apply to a county veteran services committee voting on whether to grant or deny an individual's application for benefits.

County veteran services committee would mean a committee created by a county board of commissioners under section 1 of 1953 PA 192¹ or a soldier's relief commission created under section 2 of 1899 PA 214.²

MCL 15.268

¹ MCL 35.621: <http://legislature.mi.gov/doc.aspx?mcl-35-621>

² MCL 35.22: <http://legislature.mi.gov/doc.aspx?mcl-35-22>

HOUSE COMMITTEE ACTION:

The House Committee on Military, Veterans and Homeland Security adopted and reported an H-2 substitute that replaced “board” with “committee” throughout the bill, provided that a veteran could request a closed meeting for a financial assistance application, and added “soldier’s relief commission” to the definition of “county veteran services committee.”

ARGUMENTS:

For:

Supporters of the bill argued that individuals seeking assistance through a county veteran services committee should have the option to conduct the application and interview process in private. Sensitive and personal information is often shared during these sessions, and service members are entitled to keep that information from the public.

Against:

No arguments against the bill were presented in House committee.

POSITIONS:

A representative of the Livingston County Veteran’s Committee testified in support of the bill. (3-16-21)

The following entities indicated support for the bill:

- Department of Military and Veteran Affairs (3-16-21)
- Michigan Association of Counties (3-16-21)
- American Legion Department of Michigan (3-23-21)

Legislative Analyst: Emily S. Smith
Fiscal Analyst: Michael Cnossen

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.