



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 10 (as enacted)
Sponsor: Senator Lana Theis
Senate Committee: Families, Seniors, and Veterans
House Committee: Military, Veterans and Homeland Security

PUBLIC ACT 31 of 2021

Date Completed: 9-22-21

RATIONALE

Michigan law establishes certain county funds for the operation of benefits and financial assistance for veterans or their dependents. County veteran services committees in each county manage these funds. When a veteran or a veteran's dependent requests benefits or financial assistance from these committees, the veteran or dependent often must provide supporting documents and personal testimony to verify that he or she is in need of these benefits or financial assistance. The veteran provides these supporting documents and personal testimony in a public meeting in accordance with the Open Meetings Act, which requires that all meetings of a public body be open and held in a place available to the general public. Given the sensitive nature of the information that a veteran must provide to a county veteran services committee when requesting benefits or financial assistance, some believe that the veteran should not have to disclose this information publicly. Accordingly, it was suggested that an exception to the Open Meetings Act be made to allow a county veteran services committee to meet in a closed session for these purposes.

CONTENT

The bill amended the Open Meetings Act to allow a county veteran services committee to meet in a closed session to interview a veteran or a veteran's spouse or dependent regarding that individual's application for benefits or financial assistance and to discuss that individual's application for benefits or financial assistance, if the applicant requests a closed hearing.

The bill took effect June 24, 2021.

The Act allows a public body to meet in a closed session (i.e., a meeting or part of a meeting of a public body that is closed to the public) only for specified purposes, for example, to consider the dismissal, suspension, disciplining, or evaluation of a public officer, employee, or staff member, if requested by that individual. ("Public body" means any State or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, that is empowered by State constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary authority or perform a governmental or proprietary function.)

Under the bill, a county veteran services committee may meet in a closed session to interview a veteran or his or her spouse or dependent regarding that individual's application for benefits or financial assistance and to discuss that individual's application for benefits or financial assistance, if the applicant requested a closed hearing. The bill specifies that this provision does not apply to a county veteran services committee discussing or voting on whether to grant or deny an individual's application for benefits or financial assistance.

"County veteran services committee" means a committee created by a county board of commissioners under Section 1 of Public Act 192 of 1953 or a soldiers' relief commission created under Section 2 of Public Act 214 of 1899.

(Public Act 192 allows a county board of commissioners to create a county department of veterans' affairs and to appoint three to seven veterans to administer the department. Public Act 214 of 1899 requires a county board of commissioners to levy a tax to support a fund for the relief of honorably discharged indigent members of the United States Armed Forces and requires a probate judge in each county to appoint three honorably discharged veterans to the county's soldiers' relief commission, which oversees the veterans' relief fund.)

MCL 15.268

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

When a veteran or veteran's dependent comes before a county veteran services committee, they often are in need of significant help. According to testimony before the Senate Committee on Families, Seniors, and Veterans, many veterans and veterans' dependents approach county veteran service committees asking for financial assistance to pay rent or utilities or to secure mental or physical health services. These requests for help often are associated with traumatic stressful events or personal affairs, but veterans are expected to provide testimony or supporting documents in a public forum. Veterans generally have a difficult time asking for help; requiring them to do so in a public forum makes it more likely they will refuse to do so. In addition, a veteran that has approached a county veteran services committee and undergone a public meeting to secure benefits or financial assistance may discourage peers from undergoing the same experience because of the discomfort he or she felt. This may lead to more veterans not using the benefits that they are entitled to for their service. Allowing a county veteran services committee to meet in a closed session to interview a veteran or veteran's dependent concerning financial assistance and benefits helps to ensure that veterans and their families get the help to which they are entitled.

Legislative Analyst: Tyler VanHuyse

FISCAL IMPACT

The bill will have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.