

SENATE BILL 105

P1, O1

9lr0828

By: ~~Senator Simonaire~~ **Senators Simonaire, Pinsky, Nathan-Pulliam, Bailey, Carozza, Ellis, Gallion, Kagan, Lam, Patterson, and Young**

Introduced and read first time: January 14, 2019

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 4, 2019

CHAPTER _____

1 AN ACT concerning

2 **Maryland Veterans Service Animal Program – Therapy Horses**

3 FOR the purpose of altering the definition of “nonprofit training entity” for the purposes of
4 the Maryland Veterans Service Animal Program to include an entity that uses
5 trained therapy horses for interaction with veterans; altering the duties of a
6 nonprofit training entity selected under the Program; altering the circumstances
7 under which a nonprofit training entity is authorized to disqualify a Program
8 participant from participation in the Program; altering a certain definition; and
9 generally relating to therapy horses and the Maryland Veterans Service Animal
10 Program.

11 BY repealing and reenacting, with amendments,
12 Article – State Government
13 Section 9–957
14 Annotated Code of Maryland
15 (2014 Replacement Volume and 2018 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – State Government**

19 9–957.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(a) (1) In this section the following words have the meanings indicated.

(2) “Eligible veteran” means an individual who:

(i) served on active duty in:

1. the armed forces of the United States;

2. the National Guard; or

3. a reserve component of the armed forces of the United States;

(ii) served in a capacity other than for training;

(iii) was discharged or released under conditions other than dishonorable; and

(iv) 1. is a resident of the State; or

2. receives treatment or care from a ~~Veterans’ Administration hospital~~ U.S. DEPARTMENT OF VETERANS AFFAIRS OR U.S. DEPARTMENT OF DEFENSE MEDICAL FACILITY in the State.

(3) “Fund” means the Maryland Veterans Service Animal Program Fund established under subsection (f) of this section.

(4) “Nonprofit training entity” means a corporation, a foundation, or any other legal entity that:

(i) is qualified under § 501(c)(3) of the Internal Revenue Code;

(ii) 1. engages in the training of service dogs or support dogs for use by veterans; **OR**

2. **USES TRAINED THERAPY HORSES FOR INTERACTION WITH VETERANS;** and

(iii) has been selected by the Department to provide services under this section.

(5) “Program” means the Maryland Veterans Service Animal Program established under subsection (b) of this section.

(6) “Program participant” means an eligible veteran who participates in the Program.

(7) “Successful Program participant” means a Program participant who successfully completes the training **OR THERAPY** protocol specified by a nonprofit training entity.

(b) There is a Maryland Veterans Service Animal Program in the Department.

(c) The purposes of the Program are to:

(1) refer eligible veterans who inquire about participation in the Program to one or more nonprofit training entities;

(2) provide additional funding mechanisms to assist veterans participating in the Program;

(3) encourage successful Program participants to assist in outreach and referral of other eligible veterans who could benefit from participation in the Program;

(4) assist in the reduction of the Maryland veteran suicide rate; and

(5) identify potential capital projects and services to facilitate more services for veterans in the State.

(d) (1) The Department shall select at least one nonprofit training entity to:

(i) implement a training **OR THERAPY** protocol for the purposes of the Program that will teach each Program participant methodologies, strategies, and techniques for:

1. partnering with service dogs or support dogs; **OR**

2. **INTERACTING WITH THERAPY HORSES;**

(ii) select qualified Program participants from those eligible veterans referred to the nonprofit entity under the Program;

(iii) select an appropriate service dog [or], support dog, **OR THERAPY HORSE, AS APPLICABLE**, for each Program participant;

(iv) facilitate each Program participant’s training **OR THERAPY** using the nonprofit training entity’s training **OR THERAPY** protocol; and

(v) **UNLESS THE NONPROFIT TRAINING ENTITY USES TRAINED THERAPY HORSES**, partner each successful Program participant with the service dog or support dog on the Program participant’s successful completion of the nonprofit training entity’s training protocol.

(2) To be eligible for selection under paragraph (1) of this subsection, a nonprofit entity must:

(i) be based in the State;

(ii) serve the needs of the veteran population in the State; and

(iii) generate its own revenue and reinvest the proceeds of that revenue in the growth and development of its programs.

(e) (1) A nonprofit training entity may disqualify a Program participant from participation in the Program if the nonprofit training entity determines that the Program participant's involvement in the Program:

(i) presents a danger to the Program participant's mental or physical well-being;

(ii) has caused or may potentially cause harm to others, an animal, or property;

(iii) presents a danger to the service dog's [or], support dog's, **OR THERAPY HORSE'S** mental or physical well-being; or

(iv) does not meet the training requirement of the nonprofit.

(2) A Program participant may discontinue involvement in the Program for any reason.

(f) (1) There is a Maryland Veterans Service Animal Program Fund.

(2) The Department shall use revenue from the Fund to pay a nonprofit training entity.

(3) Revenue from the Fund may be used only to pay:

(i) a nonprofit training entity; and

(ii) administrative costs of the Program.

(4) The Secretary, or the Secretary's designee, shall administer the Fund.

(5) (i) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(ii) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(6) The Fund consists of:

(i) revenue collected by the Department in the form of donations to the Program;

(ii) money appropriated in the State budget to the Fund; and

(iii) any other money from any other source accepted for the benefit of the Fund.

(7) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(8) Any interest earnings of the Fund shall be credited to the General Fund of the State.

(9) Expenditures from the Fund may be made only in accordance with the State budget.

(10) Money expended from the Fund is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for the Program.

(g) (1) For the purpose of implementing this section, the Department may accept gifts or grants for donation to the Fund.

(2) On or before October 1, 2018, and each October 1 thereafter, the Department shall post and maintain on its website a list containing the names of all persons who have donated to the Fund in the previous year and have authorized the Department to publish their names on its website.

(h) The Department shall adopt regulations to implement this section, including regulations establishing procedures for the Department to:

(1) promote the Program to eligible veterans through the Department's outreach methods;

(2) refer eligible veterans to selected nonprofit entities;

(3) receive donations for the Fund through a link placed in a prominent location on the Department's website; and

(4) use revenue from the Fund to pay selected nonprofit entities for services that are provided through the Program.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2019.