

SENATE BILL 536

P1

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CF HB 393

By: **Senators Ellis, Bailey, Benson, Brooks, Elfreth, Gile, Hettleman, Jackson, King, Klausmeier, Salling, Sydnor, A. Washington, M. Washington, Watson, and Zucker**

Introduced and read first time: February 3, 2023

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Forms – Veterans’ Benefits**

3 FOR the purpose of requiring each department or independent unit of State government to
4 include in certain forms questions regarding eligibility for veterans’ benefits, to
5 provide information on veterans’ benefits to certain individuals under certain
6 circumstances, and to annually publish a certain report and provide certain
7 information to the Department of Veterans Affairs; and generally relating to State
8 forms and veterans’ benefits.

9 BY repealing and reenacting, without amendments,
10 Article – State Government
11 Section 10–602
12 Annotated Code of Maryland
13 (2021 Replacement Volume and 2022 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – State Government
16 Section 10–603
17 Annotated Code of Maryland
18 (2021 Replacement Volume and 2022 Supplement)

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

21 **Article – State Government**

22 10–602.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) The head of each department and each independent unit shall designate, from
2 among its staff, a forms management officer for the department or independent unit.

3 (b) The forms management officer shall:

4 (1) subject to the approval of the Division:

5 (i) keep a current plan for the management of the forms that the
6 unit uses; and

7 (ii) administer the plan; and

8 (2) submit the plan, including each revision, to the Division.

9 10-603.

10 (a) The plan shall:

11 (1) ensure that the forms management officer approves the use of a form
12 by the department or independent unit only if the form:

13 (i) is needed for the effective or efficient operation of the department
14 or independent unit;

15 (ii) requests information that is needed for or relevant to a lawful
16 purpose of the department or independent unit;

17 (iii) does not impose an undue burden on the individual who is to
18 complete the form;

19 (iv) is as brief, as plainly written, as well designed, and as easily
20 completed as possible; and

21 (v) does not duplicate unnecessarily:

22 1. another form of the department or independent unit; or

23 2. a form of another department or independent unit;

24 (2) require a register of the forms that the forms management officer
25 approves;

26 (3) require identification of each form in accordance with a standard
27 identification system of the Division;

28 (4) provide for the most economical system by which to prepare, reproduce,
29 and use a form; [and]

1 (5) require the forms management officer:

2 (i) to review periodically each form that has been approved to
3 determine whether the officer still approves the form; and

4 (ii) if not, to remove the form from the register;

5 **(6) REQUIRE THAT EACH FORM COLLECTING DATA FROM AN**
6 **INDIVIDUAL INCLUDES THE FOLLOWING QUESTIONS:**

7 **(I) WHETHER THE INDIVIDUAL SERVED ON ACTIVE DUTY IN**
8 **THE UNIFORMED SERVICES OF THE UNITED STATES, OTHER THAN FOR TRAINING,**
9 **AND WAS DISCHARGED OR RELEASED UNDER CONDITIONS OTHER THAN**
10 **DISHONORABLE; AND**

11 **(II) IF AN INDIVIDUAL ANSWERS IN THE AFFIRMATIVE TO THE**
12 **QUESTION REQUIRED BY ITEM (I) OF THIS ITEM, WHETHER THE INDIVIDUAL WOULD**
13 **LIKE TO RECEIVE INFORMATION REGARDING SERVICES AVAILABLE TO VETERANS;**
14 **AND**

15 **(7) IF AN INDIVIDUAL ANSWERS IN THE AFFIRMATIVE TO THE**
16 **QUESTION REQUIRED BY ITEM (6)(II) OF THIS SUBSECTION, ENSURE THAT THE**
17 **DEPARTMENT OR INDEPENDENT UNIT PROVIDES INFORMATION TO THE INDIVIDUAL**
18 **ON BENEFITS AVAILABLE FROM THE STATE FOR VETERANS.**

19 (b) In addition to any duties set forth elsewhere, the Division shall:

20 (1) develop a standard identification system to identify forms;

21 (2) help each department and independent unit to:

22 (i) develop a proposed plan; and

23 (ii) coordinate the proposed plan with other plans;

24 (3) review each proposed plan;

25 (4) approve each proposed plan that meets the requirements of this section;

26 and

27 (5) monitor and help in the administration of each plan to ensure
28 compliance.

1 (c) (1) In the preparation of a form that requires identification of individuals
2 by race, a department or independent unit shall include the following racial categories:

3 (i) American Indian or Alaska Native;

4 (ii) Asian;

5 (iii) Black or African American;

6 (iv) Native Hawaiian or other Pacific Islander; and

7 (v) White.

8 (2) A form that requires identification of individuals by race shall include
9 instructions that multiracial respondents may select all applicable racial categories.

10 (3) (i) Respondents shall select their own answers, except when it is not
11 possible for the respondent to do so.

12 (ii) In the event that a respondent is not able to select an answer, an
13 observer, such as a family member or friend, may select the answer on behalf of the
14 respondent.

15 (4) A form that requires identification of individuals by race shall include
16 a separate question about whether a respondent is of Hispanic or Latino origin, with the
17 question preceding the racial category question.

18 **(D) EACH YEAR, EACH DEPARTMENT OR INDEPENDENT UNIT SHALL:**

19 **(1) PUBLISH A REPORT OF VITAL STATISTICS FROM THE**
20 **INFORMATION GATHERED UNDER SUBSECTION (A)(6) OF THIS SECTION, INCLUDING**
21 **POPULATION ESTIMATES; AND**

22 **(2) PROVIDE TO THE DEPARTMENT OF VETERANS AFFAIRS**
23 **AGGREGATED AND DE-IDENTIFIABLE INFORMATION ON INDIVIDUALS WHO ANSWER**
24 **IN THE AFFIRMATIVE TO THE QUESTIONS REQUIRED UNDER SUBSECTION (A)(6) OF**
25 **THIS SECTION, INCLUDING THE INDIVIDUALS' AGE, SEX, RACE OR ETHNICITY, AND**
26 **BRANCH OF SERVICE.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2023.