

Department of Legislative Services  
Maryland General Assembly  
2011 Session

FISCAL AND POLICY NOTE

House Bill 336  
Judiciary

(Delegate Burns, *et al.*)

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Task Force on Military Service Members, Veterans, and the Courts

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This bill establishes the Task Force on Military Service Members, Veterans, and the Courts. The bill specifies the membership of the task force and requires the Governor to appoint a chairperson. The Maryland Department of Veterans Affairs and the Administrative Office of the Courts must jointly provide staff support for the task force. A report with findings and recommendations is due by December 1, 2011.

The bill takes effect October 1, 2011, and terminates December 31, 2012.

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Fiscal Summary

**State Effect:** Given the State's fiscal difficulties, agency budgets have been constrained. Thus, the requirement to staff the task force and develop the report within two months may not be absorbable within the existing budgeted resources of the Maryland Department of Veterans Affairs and the Administrative Office of the Courts without redirection of resources from other projects. It is assumed that any expense reimbursements can be absorbed within existing budgeted resources. Revenues are not affected.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Bill Summary:** The task force is charged with various responsibilities, including:

- studying military service-related mental health issues and substance abuse problems suffered by members or veterans of the armed services that may appear in civil, family, and criminal cases;
- studying ways the courts may address drug and alcohol use, mental health conditions, and crimes committed by armed service members or veterans; and
- making recommendations regarding the creation of a special court for defendants who are current or former service members and who may suffer from mental illness, substance abuse, or post-traumatic stress syndrome related to military service and the readjustment to civilian life.

The task force must report its findings and recommendations to the Governor, the Chief Judge of the Maryland Court of Appeals, and the General Assembly by December 1, 2011.

Task force members may not receive compensation but are entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget.

**Background:** The operations in Iraq and Afghanistan have placed tremendous strain on military personnel and their families. Veterans and military service members are at an increased risk of mental health disorders and substance abuse, which sometimes results in violence or criminal activity. Research conducted by the RAND Corporation has shown that nearly 30% of Iraq and Afghanistan war veterans have reported symptoms of a mental disorder or cognitive impairment.

Chapters 555 and 556 of 2008 created the Veterans Behavioral Health Advisory Board, which has a similar but less specific focus. The board was required to:

- analyze the behavioral health needs of veterans and their families;
- identify gaps in behavioral health services available to veterans and their families;
- identify access barriers for veterans and their families in obtaining available health services, particularly in rural areas of the State;
- facilitate collaboration among organizations and entities, including hospitals, that provide behavioral health services to veterans and their families;
- make recommendations to improve outreach to veterans and their families in need of behavioral health services;
- promote federal and State collaboration to maximize funding and access to resources for the behavioral health needs of veterans and their families;
- make recommendations to build provider capacity and increase provider training to meet the behavioral health needs of veterans and their families;
- make recommendations to improve the coordination of behavioral health services for veterans and their families; and

- make recommendations on methods to provide behavioral health services to individuals who are not eligible for benefits from the U.S. Department of Veterans Affairs due to a dishonorable discharge or release for a reason relating to substance abuse or mental illness.

A final report that includes the board's findings and recommendations was due December 1, 2010, but it is not currently available.

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### **Additional Information**

**Prior Introductions:** HB 639 of 2010, a similar bill, passed the House and passed the Senate on second reading but no further action was taken.

**Cross File:** SB 531 (Senator Peters, *et al.*) - Judicial Proceedings.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of Veterans Affairs, Department of Legislative Services

**Fiscal Note History:** First Reader - February 11, 2011  
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