

Chapter 312

**(Senate Bill 353)**

AN ACT concerning

**Veterans – Benefits and Benefits Appeals Services – Disclosure Requirements**

FOR the purpose of requiring a person who charges a fee for certain veterans benefits services or veterans benefits appeals services to provide a written disclosure statement to and obtain written acknowledgment of the disclosure statement from certain individuals under certain circumstances; requiring a certain person who charges a fee for providing certain veterans benefits appeals services to include a certain notice in advertisements for those services; providing that a person that violates certain provisions is subject to a civil penalty of up to a certain amount; providing that certain civil fines shall be in an amount ordered by the District Court in an action brought by the Attorney General; providing that each day a certain violation occurs is a separate violation; requiring that certain civil penalties be deposited into the Maryland Veterans Trust Fund; defining certain terms; and generally relating to veterans benefits services and veterans benefits appeals services.

BY adding to

Article – State Government  
Section 9–905.1  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 9–913(c)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 9–913(g)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2020 Supplement)

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

**Article – State Government**

**9–905.1.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “ADVERTISEMENT” MEANS:**

**(I) A WRITTEN OR PRINTED COMMUNICATION MADE FOR THE PURPOSE OF SOLICITING BUSINESS FOR VETERANS BENEFITS APPEALS SERVICES;**

**(II) A DIRECTORY LISTING FOR A PERSON THAT IS OFFERING VETERANS BENEFITS APPEALS SERVICES; OR**

**(III) A RADIO, TELEVISION, COMPUTER NETWORK OR AIRWAVE, OR ELECTRONIC TRANSMISSION THAT SOLICITS BUSINESS FOR OR PROMOTES A PERSON OFFERING VETERANS BENEFITS APPEALS SERVICES.**

**(3) “VETERANS BENEFITS APPEALS SERVICES” MEANS ANY SERVICES THAT A VETERAN MIGHT REASONABLY REQUIRE IN ORDER TO APPEAL A DENIAL OF FEDERAL, STATE, OR LOCAL VETERANS BENEFITS, INCLUDING DENIALS OF DISABILITY, LIMITED INCOME, HOME LOAN, INSURANCE, EDUCATION AND TRAINING, HEALTH CARE, BURIAL AND MEMORIAL, AND DEPENDENT AND SURVIVOR BENEFITS.**

**(4) “VETERANS BENEFITS SERVICES” MEANS ANY SERVICES A VETERAN OR A FAMILY MEMBER OF A VETERAN MIGHT REASONABLY USE IN ORDER TO OBTAIN FEDERAL, STATE, OR LOCAL VETERANS BENEFITS.**

**(B) (1) BEFORE ENTERING INTO AN AGREEMENT WITH AN INDIVIDUAL FOR THE PROVISION OF VETERANS BENEFITS SERVICES OR VETERANS BENEFITS APPEALS SERVICES, A PERSON WHO CHARGES A FEE FOR THOSE SERVICES SHALL:**

**(I) PROVIDE A WRITTEN DISCLOSURE STATEMENT TO EACH INDIVIDUAL; AND**

**(II) OBTAIN THE INDIVIDUAL’S SIGNATURE ON THE WRITTEN DISCLOSURE STATEMENT ACKNOWLEDGING THAT THE INDIVIDUAL UNDERSTANDS THE DISCLOSURE STATEMENT.**

**(2) THE WRITTEN DISCLOSURE STATEMENT SHALL:**

**(I) BE ON A FORM APPROVED BY THE SECRETARY; AND**

**(II) STATE THAT VETERANS BENEFITS SERVICES AND VETERANS BENEFITS APPEALS SERVICES ARE OFFERED AT NO COST BY THE DEPARTMENT AND OTHER VETERANS SERVICES ORGANIZATIONS ACCREDITED BY THE U.S. DEPARTMENT OF VETERANS AFFAIRS.**

**(C) A PERSON WHO CHARGES A FEE FOR PROVIDING VETERANS BENEFITS APPEALS SERVICES SHALL PROVIDE IN ANY ADVERTISEMENT FOR APPEALS SERVICES NOTICE THAT APPEALS SERVICES ARE ALSO OFFERED AT NO COST BY THE DEPARTMENT AND OTHER VETERANS SERVICES ORGANIZATIONS ACCREDITED BY THE U.S. DEPARTMENT OF VETERANS AFFAIRS.**

**(D) (1) A PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN \$1,000 FOR EACH VIOLATION.**

**(2) CIVIL PENALTIES SHALL BE IN AN AMOUNT ORDERED BY THE DISTRICT COURT IN AN ACTION BROUGHT BY THE ATTORNEY GENERAL.**

**(3) EACH DAY A VIOLATION CONTINUES IS A SEPARATE VIOLATION.**

**(4) ANY CIVIL PENALTY COLLECTED SHALL BE DEPOSITED IN THE MARYLAND VETERANS TRUST FUND.**

9-913.

(c) "Fund" means the Maryland Veterans Trust Fund.

(g) The Fund consists of:

(1) gifts and grants that the Trust receives under § 9-914.2(a)(1) of this subtitle; and

(2) contributions to the Fund from:

(i) the sale of tickets from instant ticket lottery machines under § 9-112(d) of this title;

(ii) the donations from video lottery facility players under § 9-1A-04(d)(19) of this title; [and]

(iii) the designated fees from special registration plates for recipients of an individually earned, combat-related armed forces medal under § 13-619.1 of the Transportation Article; **AND**

**(IV) CIVIL PENALTIES COLLECTED IN ACCORDANCE WITH §  
9-905.1 OF THIS SUBTITLE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.

**Approved by the Governor, May 18, 2021.**