

HOUSE BILL NO. 4253

February 16, 2021, Introduced by Reps. O'Neal, Steenland, Brenda Carter, Liberati, Coleman, Hood, Tyrone Carter, Stone, Steckloff, Thanedar, Beson, Aiyash and Jones and referred to the Committee on Military, Veterans and Homeland Security.

A bill to create a grant program to provide reimbursement of certain fitness facility membership fees, in whole or in part, to certain veterans; to create the Michigan veteran outreach fund and to provide for contributions to and expenditures from that fund; to prescribe the powers and duties of certain state and local governmental officers and entities; to require the promulgation of rules; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

1 (a) "County department" means a county department of veterans
2 affairs.

3 (b) "Department" means the department of military and veterans
4 affairs.

5 (c) "Eligible veteran" means a veteran who meets both of the
6 following conditions:

7 (i) The veteran has a United States Department of Veterans
8 Affairs service-connected disability rating of 50% or greater and
9 is a resident of this state.

10 (ii) If the veteran was a participant in a reimbursement
11 program under this act at any time during the 6-month period
12 immediately preceding his or her request for a subsequent
13 reimbursement benefit, he or she attended a qualified fitness
14 facility participating in that reimbursement program not less than
15 8 times during the last month of his or her participation in the
16 program.

17 (d) "Membership fee reimbursement" or "reimbursement" means a
18 reimbursement of a qualified fitness facility membership fee, in
19 whole or in part, that is provided to a qualified fitness facility
20 for the benefit of an eligible veteran.

21 (e) "Membership fee reimbursement program" or "reimbursement
22 program" means a program that provides for membership fee
23 reimbursements for the benefit of eligible veterans at qualified
24 fitness facilities.

25 (f) "Michigan veteran outreach fund" or "fund" means the
26 Michigan veteran outreach fund created in section 2.

27 (g) "Michigan veteran outreach initiative" or "grant program"
28 means the grant program created in section 3.

29 (h) "Qualified fitness facility" means a YMCA fitness facility

1 or other private nonprofit fitness facility located in this state
2 that meets the following conditions:

3 (i) The facility offers a reduced membership fee for veterans.

4 (ii) The facility is capable of tracking the attendance of
5 veterans participating in a reimbursement program established under
6 this act.

7 (iii) The facility is in compliance with the Americans with
8 disabilities act of 1990, Public Law 101-336.

9 (i) "Service-connected disability" means a disability
10 determined to be service-connected by the United States Department
11 of Veterans Affairs.

12 (j) "Veteran" means that term as defined in section 1 of 1965
13 PA 190, MCL 35.61.

14 (k) "YMCA" means the Young Men's Christian Association.

15 Sec. 2. (1) The Michigan veteran outreach fund is created as a
16 separate fund in the department of treasury. The department is the
17 administrator of the fund for auditing purposes.

18 (2) The state treasurer may receive money or other assets from
19 any source for deposit into the fund. The state treasurer shall
20 credit to the fund money appropriated to the fund. The state
21 treasurer shall direct the investment of the fund and shall credit
22 to the fund interest and earnings from fund investments.

23 (3) The department shall expend money from the fund to carry
24 out the purpose of this act and shall not expend money from the
25 fund for any other purpose.

26 (4) Money remaining in the fund at the close of the fiscal
27 year remains in the fund and does not lapse to the general fund.
28 Money remaining in the fund 3 years after the effective date of
29 this act lapses to the general fund.

1 Sec. 3. (1) The department shall create and operate a grant
2 program to be known as the Michigan veteran outreach initiative.
3 Beginning on the effective date of this act and ending 3 years
4 after that date, the department shall provide grants, upon
5 appropriation, from the Michigan veteran outreach fund. Subject to
6 subsections (4) and (5), the department shall provide the grants on
7 a competitive basis to eligible counties, as described in
8 subsection (2), for the establishment, operation, and funding of
9 membership fee reimbursement programs.

10 (2) To be eligible for a grant under this section, a county
11 must meet either of the following conditions:

12 (a) The county has established and currently operates a county
13 department of veterans' affairs or has an agreement with a
14 neighboring county to use the neighboring county's county
15 department of veterans' affairs.

16 (b) The county has a Michigan veterans' trust fund agent who
17 performs his or her duties from a county building.

18 (3) The department shall develop and implement an application
19 process for the grant program described in subsection (1) that
20 requires, but is not limited to, all of the following:

21 (a) Demonstration by the applicant county, through letters or
22 otherwise, of the availability of qualified fitness facilities in
23 the county that have expressed a willingness to participate in a
24 reimbursement program established under this act.

25 (b) Statements of support from local officials or agencies in
26 the county attesting to the need for assistance in providing access
27 for eligible veterans to facilities within their community that
28 offer opportunities for improving the health and wellness of
29 veterans.

1 (c) Evidence indicating that the county department or the
2 Michigan veterans' trust fund agent as described in subsection (2)
3 is able to operate and monitor a reimbursement program.

4 (4) The department shall award a grant to 1 county in each of
5 the following categories:

6 (a) Counties that have a population of less than 100,000.

7 (b) Counties that have a population of 100,000 or more but
8 less than 200,000.

9 (c) Counties that have a population of 200,000 or more.

10 (5) The department shall determine grant recipients in
11 accordance with the following order of preference:

12 (a) Counties that have a state or federal veteran's facility
13 located in the county.

14 (b) Counties in which the available qualified fitness
15 facilities, as provided by the applicant county under subsection
16 (3), comply with the barrier-free design requirements of the state
17 construction code promulgated under the Stille-DeRossett-Hale
18 single state construction code act, 1972 PA 230, MCL 125.1501 to
19 125.1531, or have heightened levels of compliance, as determined by
20 the department, with the Americans with disabilities act of 1990,
21 Public Law 101-336, relative to other applicant counties in the
22 same category as described in subsection (4).

23 (c) Counties that have a higher percentage of eligible
24 veterans to the total population of the county as compared to other
25 applicant counties.

26 (6) A county that receives a grant under this act must use the
27 grant funds to establish, operate, and fund a reimbursement program
28 in accordance with all of the following:

29 (a) The county department or veterans' trust fund agent shall

1 process applications for reimbursement received from qualified
2 fitness facilities located within the county that have elected to
3 participate in the reimbursement program. Applications for
4 reimbursement must be on a form provided by the department.

5 (b) An application for reimbursement submitted by a qualified
6 fitness facility must include sufficient evidence, as determined by
7 the department, to confirm that the individual receiving the
8 benefit of the reimbursement is an eligible veteran.

9 (c) If an application for reimbursement is approved, the
10 county department shall provide the reimbursement directly to the
11 qualified fitness facility.

12 (d) The amount of a reimbursement provided to a qualified
13 fitness facility under this section must not exceed \$50.00 per
14 month of membership for each eligible veteran.

15 Sec. 4. (1) The department shall determine the amount of a
16 grant provided under section 3 as a percentage of the amount
17 appropriated to the grant program for the fiscal year in which the
18 grant is provided plus any remaining funds from the previous fiscal
19 year. The department shall determine that percentage by dividing
20 the number of eligible veterans residing in a county that is
21 provided a grant under section 3 by the total number of all
22 eligible veterans residing in all counties provided a grant under
23 that section and multiplying the result by the amount appropriated
24 to the grant program for the fiscal year in which the grant is
25 provided plus any remaining funds from the previous fiscal year.

26 (2) Population figures for counties and eligible veterans must
27 be obtained from the most recent American Community Survey
28 published by the United States Census Bureau.

29 Sec. 5. The department shall promulgate rules and procedures

1 to implement this act in compliance with the administrative
2 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

3 Sec. 6. This act is repealed 3 years after the effective date
4 of this act.

5 Enacting section 1. This act takes effect 90 days after the
6 date it is enacted into law.