

# SENATE BILL NO. 576

October 11, 2023, Introduced by Senators DALEY and OUTMAN and referred to the Committee on Veterans and Emergency Services.

A bill to amend 1899 PA 214, entitled

"An act to provide relief outside of the soldiers' home for honorably discharged indigent soldiers, sailors, marines, nurses and members of women's auxiliaries and the indigent wives, widows and minor children of such indigent or deceased soldiers, sailors, marines, nurses and members of women's auxiliaries, and to repeal certain acts and parts of acts,"

by amending the title and sections 1, 2, 3, 4, and 5 (MCL 35.21, 35.22, 35.23, 35.24, and 35.25), section 1 as amended by 2016 PA 218 and section 2 as amended by 2016 PA 208, and by adding sections 9 and 10; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

## 1 TITLE

2 An act to provide relief ~~outside of the soldiers' home for to~~  
 3 honorably discharged indigent ~~soldiers, sailors, marines, nurses~~  
 4 and members of women's auxiliaries **service members** and the indigent  
 5 ~~wives, widows~~ **spouses, surviving spouses**, and minor children of  
 6 such indigent or deceased ~~soldiers, sailors, marines, nurses and~~  
 7 members of women's auxiliaries, **service members; to provide for the**  
 8 **powers and duties of certain state and local governmental officers**  
 9 **and entities**; and to repeal certain acts and parts of acts.

10 Sec. 1. **(1)** The county board of commissioners of each county  
 11 shall annually levy a tax, not exceeding 1/10 of a mill on each  
 12 dollar, to be levied and collected as provided by law, upon the  
 13 taxable property of each township and city, for their respective  
 14 counties, for the purpose of creating a **soldiers' relief** fund for  
 15 the **aid and** relief of honorably discharged indigent ~~members of the~~  
 16 ~~Army, Navy, Air Force, Marine Corps, Coast Guard, and women's~~  
 17 ~~auxiliaries~~ **service members**, and the indigent spouses, **surviving**  
 18 **spouses, and** minor children ~~and parents~~ of each indigent or  
 19 deceased member who served during a period of war as described in  
 20 ~~38 CFR 3.2, except that for purposes of this section, "period of~~  
 21 ~~war" for the Vietnam era means the following:~~

22 ~~(a) February 28, 1961 through May 7, 1975 for a veteran who~~  
 23 ~~served during that period.~~

24 ~~(b) On or after January 31, 1955 in an area of hazardous duty~~  
 25 ~~for which the veteran received an Armed Forces Expeditionary Medal~~  
 26 ~~or Vietnam Service Medal. Funds~~ **service members.**

27 **(2) In addition to the use described in subsection (1), money**  
 28 raised in accordance with this section may be expended for the **aid**  
 29 **and** relief of indigent ~~wives~~ **spouses** and **minor** children of active

1 duty soldiers, sailors, marines, airmen, coast guardsmen, nurses,  
 2 and members of the women's auxiliaries during the continuance of  
 3 present hostilities and prior to their **service members before the**  
 4 **service member's** discharge. However, in

5 (3) In any year in which, in the opinion of the **county** board  
 6 **of commissioners**, an emergency exists, the board may appropriate a  
 7 sum not to exceed ~~exceeding~~ 2/10 of a mill on each dollar for the  
 8 purposes of this section. The money, when

9 (4) **Money** collected, ~~shall under this section must~~ be paid to  
 10 the county treasurer of the county where the tax is levied ~~in each~~  
 11 ~~of the counties in this state, to be~~ **and** paid out by the treasurer  
 12 upon the **written** order of the soldiers' relief commission ~~if as~~  
 13 signed by the chairperson and secretary of the commission.

14 (5) If any money in the fund is not necessary for the purpose  
 15 for which it was raised, the money ~~shall remain~~ **remains** in the  
 16 ~~treasury of the county as a soldiers' relief fund, and shall~~ **must**  
 17 be considered in raising future ~~sums~~ **money** for ~~this~~ **that** purpose.

18 Sec. 2. (1) The **chief** judge of ~~the~~ probate ~~in court for~~ each  
 19 county shall appoint 3 ~~veterans as that term is defined in 1965 PA~~  
 20 ~~190, MCL 35.61 to 35.62,~~ **individuals** who are residents of the  
 21 county and who ~~were~~ **are** honorably discharged ~~soldiers, sailors,~~  
 22 ~~marines, nurses, or~~ **service** members of the women's auxiliaries of  
 23 the United States Armed Forces, to a commission to be known as the  
 24 ~~"soldiers' relief commission"~~ **soldiers' relief commission** of the  
 25 county, with the powers and duties as provided in this act.

26 (2) Of the ~~persons~~ **individuals** appointed under subsection (1),  
 27 1 ~~of the persons shall~~ **must** be appointed for a ~~an~~ **initial** term of 1  
 28 year, ~~;-1 for a~~ **an initial** term of 2 years, ~~;-and 1 for a~~ **an**  
 29 **initial** term of 3 years, ~~and at~~ **years. At** the expiration of the

~~1 term for which each of the persons was appointed, his or her an~~  
~~2 individual's term, the chief judge of the probate court for the~~  
~~3 county shall appoint the individual's successor shall be appointed~~  
~~4 for a term of 3 years. The persons so appointed commission shall~~  
~~5 organize itself by the selection of selecting 1 of their number the~~  
~~6 commission members as chairperson and 1 as secretary, and in~~  
~~7 secretary. In the event of the death, resignation, change of~~  
~~8 residence, or other disability of any a member of the commission,~~  
~~9 creating a vacancy, the chief judge of the probate court for the~~  
~~10 county shall fill the vacancy by an appointment for the unexpired~~  
~~11 term. The commission members shall each file the a constitutional~~  
~~12 oath of office with the probate court, and receive the proper~~  
~~13 certificate certification of their appointment. They Commission~~  
~~14 members are entitled to reasonable compensation for their services,~~  
~~15 to be fixed and paid by the county board of commissioners. of their~~  
~~16 respective counties. The chief judge of the probate court for the~~  
~~17 county may remove any member of the commission for cause.~~

~~18 Sec. 3. The supervisor of each township and ward in each of~~  
~~19 the counties of this state, and where there is no ward supervisor~~  
~~20 the aldermen of the several wards of every incorporated city in~~  
~~21 this state, shall, on or before the last Monday in September in~~  
~~22 each year, make and place in the hands of the soldiers' relief~~  
~~23 commission of the county, a list of all the persons entitled to~~  
~~24 relief under the provisions of this act, and the soldiers' relief~~  
~~25 commission, on the first Monday in October in each year, shall~~  
~~26 proceed to determine the amount necessary for aid and relief to be~~  
~~27 granted such persons under this act, which shall be then and there~~  
~~28 recorded in the books to be kept by the secretary of said soldiers'~~  
~~29 relief commission. The commission may determine not only the sum to~~

1 ~~be paid, but the manner of paying the same, and may~~ discontinue the  
 2 payment of ~~such aid and relief under this act in their~~ **its**  
 3 discretion. ~~Appeal~~ **An individual** may be taken therefrom **appeal by**  
 4 **certiorari a decision by the commission to discontinue aid and**  
 5 **relief to that individual** to the circuit court of ~~such county, by~~  
 6 ~~certiorari~~ **the county where the individual resides** by filing an  
 7 application therefor with the **circuit court** clerk within ~~not more~~  
 8 **than 15 days following** ~~after~~ the making of such decision.  
 9 **commission notifies the individual of its decision.** The court shall  
 10 hear the case de novo and its decision shall ~~be~~ **is** final.

11       Sec. 4. ~~Whenever any~~ **If an individual eligible for aid and**  
 12 **relief under this act experiences an** emergency shall ~~arise in case~~  
 13 ~~of~~ **due to** sickness, accident, or death, ~~which, that~~ in the opinion  
 14 of any supervisor or alderman, ~~needs a commission member requires~~  
 15 **aid and relief, such supervisor or alderman, that commission**  
 16 **member, when inconvenient** ~~unable~~ to consult any ~~of~~ **with** the **other**  
 17 members of ~~said commission, shall have the power to draw an order~~  
 18 ~~on the county treasurer for a sum~~ **the commission in a timely**  
 19 **manner, may provide that aid and relief to the individual. The**  
 20 **amount or value of the aid and relief provided must not** ~~to~~ exceed  
 21 ~~10 dollars, and \$300.00.~~ **The commission member shall certify his** ~~by~~  
 22 **signed documentation the commission member's action and the**  
 23 **circumstances of the case to** ~~such soldiers' relief commission,~~  
 24 ~~which~~ **the commission. The commission shall review the signed**  
 25 **documentation and on approval ratify the same,** ~~certification and~~  
 26 ~~such commission may grant such~~ **aid and relief to the**  
 27 **individual** at any time as ~~it may deem necessary:~~ **Provided, however,**  
 28 ~~That no~~ **it considers necessary. This section does not apply to a**  
 29 claim for **aid and relief shall be allowed and paid which shall** ~~if~~

1 the payment or provision of the aid and relief will create a  
2 deficiency in the fund.

3 Sec. 5. ~~Said~~ **The soldiers' relief commission and county**  
4 **treasurer of each county** shall ~~make to the board of supervisors, at~~  
5 ~~its October session in each year, a full~~ **provide an annual** report  
6 ~~of its doings to the county board of commissioners that must~~  
7 **include all of the following:**

8 (a) **A summary of the commission's activities.** ~~and the~~

9 (b) **The amount of relief money on hand, remaining in that**  
10 **county's fund.** ~~the~~

11 (c) **The amount expended from that county's fund** during the  
12 **last year.** ~~preceding, and the~~

13 (d) **The amount estimated for to be expended from the county's**  
14 **fund during the next year.** ~~ensuing, and such~~

15 (e) **Any** further information and ~~suggestions as they may~~  
16 ~~consider recommendations that the commission considers~~ necessary to  
17 the discharge of ~~their~~ **its** duties under this act.

18 Sec. 9. **An individual is considered to be indigent under this**  
19 **act if the individual is experiencing a substantial financial**  
20 **hardship. Substantial financial hardship is presumed if the**  
21 **individual receives personal public assistance, including under a**  
22 **food assistance program, temporary assistance for needy families,**  
23 **Medicaid, or disability insurance, resides in public housing, earns**  
24 **an income less than 140% of the federal poverty guideline, or is**  
25 **unemployed.**

26 Sec. 10. **As used in this act:**

27 (a) **"Aid and relief" means cash assistance and other services**  
28 **provided to, or supported on behalf of, an individual entitled to**  
29 **aid and relief under this act, including, but not limited to,**

1 providing for transportation to a veterans' or nonveteran hospital,  
2 a health facility or clinic, or job training.

3 (b) "Armed forces" means the United States Army, Navy, Marine  
4 Corps, Air Force, Space Force, and Coast Guard, including the  
5 reserve components.

6 (c) "Indigent" means meeting 1 or more of the conditions  
7 described in section 9.

8 (d) "Reserve components" means all of the following:

9 (i) The Army National Guard of the United States.

10 (ii) The Army, Navy, Marine Corps, Air Force, and Coast Guard  
11 reserves.

12 (iii) The Air National Guard of the United States.

13 (e) "Service member" means any of the following:

14 (i) A veteran.

15 (ii) A member of the armed forces.

16 (iii) A member of a women's auxiliary.

17 (f) "Soldiers' relief commission" or "commission" means a  
18 county soldiers' relief commission appointed under section 2.

19 (g) "Soldiers' relief fund" or "fund" means a soldiers' relief  
20 fund described in section 1.

21 (h) "Veteran" means an individual who is a veteran as that  
22 term is defined in section 1 of 1965 PA 190, MCL 35.61, and was  
23 honorably discharged. Veteran includes individuals honorably  
24 discharged who served in any of the nurse corps of the armed forces  
25 regardless of the military status of that corps before becoming a  
26 fully recognized branch of the regular armed forces.

27 (i) "Women's auxiliary" means any women's military unit that  
28 served with the armed forces before becoming a fully recognized  
29 branch of the regular armed forces including, but not limited to,

1 **the Women's Auxiliary Army Corps.**

2 Enacting section 1. Sections 6 and 7 of 1899 PA 214, MCL 35.26

3 and 35.27, are repealed.