

REFERENCE TITLE: **military family relief fund; grants**

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

SB 1662

Introduced by
Senator Carter

AN ACT

**AMENDING SECTION 41-608.04, ARIZONA REVISED STATUTES; RELATING TO THE
MILITARY FAMILY RELIEF FUND.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-608.04, Arizona Revised Statutes, is amended
3 to read:

4 41-608.04. Military family relief fund: subaccounts: advisory
5 committees

6 A. The military family relief fund is established through
7 December 31, 2026. The fund consists of private donations, grants,
8 bequests and any other monies received for that purpose.

9 B. The pre-9/11 veterans subaccount and post-9/11 veterans
10 subaccount of the military family relief fund are established. The
11 department shall administer the **FUND AND** subaccounts. On notice from the
12 director, the state treasurer shall invest and divest monies in the
13 subaccounts as provided by section 35-313, and monies earned from
14 investment shall be credited to the subaccounts. The monies in the
15 subaccounts are continuously appropriated to the department solely for the
16 purposes described in this section. Any monies remaining unexpended and
17 unencumbered on December 31, 2026 shall be transferred for deposit in the
18 veterans' donations fund established by section 41-608.

19 C. The post-9/11 military family relief advisory committee is
20 established to determine appropriate uses of the monies in the post-9/11
21 veterans subaccount as provided by this section. The post-9/11 military
22 family relief advisory committee consists of the director or the
23 director's designee and twelve additional members, including widows and
24 widowers of military personnel who died in the line of duty, military
25 retirees, veterans who have a service-connected disability and their
26 family members, Arizona army and air national guard unit commanders and
27 active and retired senior enlisted military personnel. Except for the
28 director, the governor shall appoint the members based on recommendations
29 by the director, the adjutant general and commanders of military bases in
30 this state. Appointed members serve at the pleasure of the governor. The
31 post-9/11 military family relief advisory committee shall elect a
32 chairperson from among the appointed members.

33 D. The post-9/11 military family relief advisory committee shall:

34 1. Establish criteria for the use of monies in the post-9/11
35 veterans subaccount.

36 2. Establish and revise as necessary the application process for
37 financial assistance.

38 3. Review and evaluate applications.

39 4. Make other recommendations as necessary.

40 E. The pre-9/11 military family relief advisory committee is
41 established to determine appropriate uses of the monies in the pre-9/11
42 veterans subaccount as provided by this section. The pre-9/11 military
43 family relief advisory committee consists of the director or the
44 director's designee and twelve additional members, including widows and
45 widowers of military personnel who died in the line of duty, military

1 retirees, veterans who have a service-connected disability and their
2 family members, Arizona army and air national guard unit commanders and
3 active and retired senior enlisted military personnel. Except for the
4 director, the governor shall appoint the members based on recommendations
5 by the director, the adjutant general and commanders of military bases in
6 this state. Appointed members serve at the pleasure of the governor. The
7 pre-9/11 military family relief advisory committee shall elect a
8 chairperson from among the appointed members.

9 F. The pre-9/11 military family relief advisory committee shall:

10 1. Establish criteria for the use of monies in the pre-9/11
11 veterans subaccount.

12 2. Establish and revise as necessary the application process for
13 financial assistance.

14 3. Review and evaluate applications.

15 4. Make other recommendations as necessary.

16 G. The advisory committees may establish subcommittees, consisting
17 of not more than five members of the full committees, to recommend
18 approval of a grant to an applicant of not more than three thousand
19 dollars.

20 H. Notwithstanding section 38-431.03, the subcommittees may meet in
21 executive session without advance notice. The full advisory committees
22 may meet in executive session, with notice pursuant to section 38-431.02,
23 to review and evaluate applications or review recommendations of the
24 subcommittees. Applications for financial assistance and all committee
25 considerations and evaluations of the applications are confidential.

26 I. The monies in the post-9/11 veterans subaccount shall be used to
27 provide financial assistance pursuant to this subsection. The service
28 member of an applying family must have been deceased, wounded or injured
29 or become seriously ill after September 11, 2001, been deployed from a
30 military base in this state, claimed this state as the service member's
31 home of record or been a member of the Arizona national guard at the time
32 of deployment. If discharged from military service, the service member
33 must have been discharged under honorable conditions. The assistance
34 shall be based on financial need up to ~~twenty thousand dollars~~ \$20,000 per
35 family. Eligible assistance is as follows:

36 1. Widows, widowers or dependent children of service members who
37 died in the line of duty in a combat zone or a zone where the person was
38 receiving hazardous duty pay may apply for a stipend for living expenses
39 for up to six months. For the purposes of the stipend, qualifying living
40 expenses are residential mortgage, rent and utility payments and other
41 basic living expenses. Payments with respect to any deceased person under
42 this paragraph are limited to a total of ~~twenty thousand dollars~~ \$20,000.

43 2. An immediate family member may apply for payment of costs of
44 temporary residence near the medical facility where the service member or
45 former service member is being treated, including living, travel and

1 housing expenses. Payments may be payable in monthly installments as long
2 as the person is hospitalized or receiving medical care or rehabilitation
3 services as authorized by military or veterans' medical personnel.

4 3. An immediate family member, service member or former service
5 member may apply for:

6 (a) Living expenses.

7 (b) Other appropriate expenses as determined by the post-9/11
8 military family relief advisory committee.

9 J. The monies in the pre-9/11 veterans subaccount shall be used to
10 provide financial assistance pursuant to this subsection. The service
11 member of an applying family must have been deceased, wounded or injured
12 or become seriously ill on or before September 11, 2001, been deployed
13 from a military base in this state, claimed this state as the service
14 member's home of record or been a member of the Arizona national guard at
15 the time of deployment. If discharged from military service, the service
16 member must have been discharged under honorable conditions. The
17 assistance shall be based on financial need up to ~~twenty thousand dollars~~
18 \$20,000 per family. Eligible assistance is as follows:

19 1. Widows, widowers or dependent children of service members who
20 died in the line of duty in a combat zone or a zone where the person was
21 receiving hazardous duty pay may apply for a stipend for living expenses
22 for up to six months. For the purposes of the stipend, qualifying living
23 expenses are residential mortgage, rent and utility payments and other
24 basic living expenses. Payments with respect to any deceased person under
25 this paragraph are limited to a total of ~~twenty thousand dollars~~ \$20,000.

26 2. An immediate family member may apply for payment of costs of
27 temporary residence near the medical facility where the service member or
28 former service member is being treated, including living, travel and
29 housing expenses. Payments may be payable in monthly installments as long
30 as the person is hospitalized or receiving medical care or rehabilitation
31 services as authorized by military or veterans' medical personnel.

32 3. An immediate family member, service member or former service
33 member may apply for:

34 (a) Living expenses.

35 (b) Other appropriate expenses as determined by the pre-9/11
36 military family relief advisory committee.

37 K. IF THE SUBACCOUNTS HAVE A BALANCE OF AT LEAST \$2,000,000 AT THE
38 BEGINNING OF THE FISCAL YEAR, THE DIRECTOR MAY ALLOCATE UP TO \$500,000
39 EACH FISCAL YEAR IN GRANTS OF NOT MORE THAN \$150,000 FOR EACH GRANT TO
40 VETERANS SERVICE ORGANIZATIONS THAT ARE QUALIFIED PURSUANT TO SECTION
41 501(c)(19) OF THE INTERNAL REVENUE CODE TO PROVIDE VETERANS BENEFITS
42 SERVICE OFFICERS TO ASSIST VETERANS IN OBTAINING BENEFITS AND SERVICES.
43 THE DIRECTOR SHALL ADOPT RULES TO IMPLEMENT THIS SUBSECTION.

44 ~~K.~~ L. The director may allocate up to five percent of the
45 donations received for administering the subaccounts and the financial

1 assistance program under this section, including the hiring of an employee
2 to process applications and provide support to the committee. The
3 department shall provide reasonable office space and other necessary
4 resources for the employee.

5 ~~L~~ M. The director shall receive private donations for deposit in
6 the subaccounts and issue receipts to the donors. A donor shall designate
7 the subaccount in which the donor wishes the donation to be deposited as
8 follows:

9 1. One hundred percent of the donation to be deposited in the
10 pre-9/11 veterans subaccount.

11 2. One hundred percent of the donation to be deposited in the
12 post-9/11 veterans subaccount.

13 3. Fifty percent of the donation to be deposited in the pre-9/11
14 veterans subaccount and fifty percent of the donation to be deposited in
15 the post-9/11 veterans subaccount.

16 ~~M~~ N. Private donations may qualify for the purposes of income tax
17 credits under section 43-1086. The director may receive donations in any
18 amount, but donations that qualify for tax credits are subject to the
19 limits prescribed by section 43-1086. Donations to the subaccounts that
20 otherwise qualify under the tax credit limits prescribed by section
21 43-1086 but that exceed a combined total of one million dollars in any
22 calendar year, on a first-come, first-served basis, do not qualify for the
23 income tax credits. The director shall provide the taxpayer a donation
24 receipt, which shall include the taxpayer's full name and address, the
25 last four digits of the taxpayer's social security number and the amount
26 of the donation. The director shall designate on the donation receipt
27 whether the donation qualifies under the limits prescribed by this
28 subsection and section 43-1086. The director shall send a record of
29 receipts that qualify under this subsection to the department of revenue.

30 ~~N~~ O. On or before March 31 of each year, the director shall
31 provide for an audit by an independent certified public accountant of the
32 subaccounts and of the aggregate amount authorized by the director for
33 income tax credits under subsection ~~M~~ N of this section. The director
34 shall promptly submit a certified copy of the audit to the auditor
35 general. The auditor general may make further audits and examinations as
36 necessary and may take appropriate action relating to the audit or
37 examination pursuant to chapter 7, article 10.1 of this title. If the
38 auditor general does not take further action within thirty days after the
39 audit is filed, the audit is considered to be sufficient. The director
40 shall pay the costs of the certified public accountant and the auditor
41 general from the administration allocation under subsection ~~L~~ L of this
42 section.