

2019 -- H 5443

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO MILITARY AFFAIRS AND DEFENSE -- VETERANS' BENEFITS

Introduced By: Representatives Vella-Wilkinson, Millea, Almeida, Williams, and
Shanley

Date Introduced: February 14, 2019

Referred To: House Veterans` Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 30-22 of the General Laws entitled "Extension of Veterans'
2 Benefits" is hereby amended by adding thereto the following section:

3 **30-22-7. Change in treatment of certain discharges.**

4 (a) For purposes of eligibility for state or municipal veterans' benefits, former members
5 of the armed forces who were separated with a characterization of less than honorable due solely
6 to their sexual orientation or gender identity for transsexual service members, shall be entitled to
7 all state and municipal veterans' benefits for which the veteran would otherwise be eligible had
8 the discharge been characterized as honorable including a veterans preference for housing or
9 employment.

10 (b) Veterans, entitled to benefits pursuant to subsection (a) of this section, requesting
11 property tax exemptions must provide the municipal tax assessor with a copy of their DD Form
12 214 and a letter from the Rhode Island office of veterans affairs verifying the characterization of
13 the discharge was based solely on sexual orientation.

14 (c) Veterans, entitled to benefits pursuant to subsection (a) of this section, requesting the
15 issuance of motor vehicle veteran plates shall provide the registrar of motor vehicles with a letter
16 from the Rhode Island office of veterans affairs verifying the characterization of the discharge
17 was based solely on sexual orientation and shall comply with the provisions of § 31-3-53.

18 (d) Veterans, entitled to benefits pursuant to subsection (a) of this section, requesting
19 issuance of a motor vehicle operator's license marked "Veteran" shall provide the administrator of

1 the division of motor vehicles with a letter from the Rhode Island office of veterans affairs
2 verifying the characterization of the discharge was based solely on sexual orientation and shall
3 comply with the provisions of § 31-10-48.

4 (e) Disabled veterans, entitled to benefits pursuant to subsection (a) of this section,
5 requesting priority for housing accommodations shall provide the applicable housing authority
6 with a letter from the Rhode Island office of veterans affairs verifying the characterization of the
7 discharge was based solely on sexual orientation and shall comply with the provisions of § 45-26-
8 12.

9 (f) Veterans, entitled to benefits pursuant to subsection (a) of this section, or their next of
10 kin requesting burial of a veteran at the Rhode Island veterans memorial cemetery shall provide
11 the administrator for the Rhode Island veterans memorial cemetery with a letter from the Rhode
12 Island office of veterans affairs verifying the characterization of the discharge was based solely
13 on sexual orientation and shall comply with the provisions of § 30-25-14.

14 (g) Municipalities shall ensure the appropriate personnel are trained to properly respond
15 to these requests to ensure the dignity and privacy of the veteran.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO MILITARY AFFAIRS AND DEFENSE -- VETERANS' BENEFITS

1 This act would permit former members of the armed forces who received less than
2 honorable discharges based solely on sexual orientation to receive earned veterans' benefits as if
3 their discharge had been characterized as honorable including housing and employment veterans
4 preferences.

5 This act would take effect upon passage.

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