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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3387

03/05/2018 Authored by Howe and Poston
The bill was read for the first time and referred to the Veterans Affairs Division
03/21/2018 Adoption of Report: Re-referred to the Committee on Commerce and Regulatory Reform

1.1 A bill for an act
1.2 relating to military veterans; modifying veterans benefits services disclosure
1.3 requirements; amending Minnesota Statutes 2017 Supplement, section 197.6091,
1.4 subdivision 1; repealing Minnesota Statutes 2017 Supplement, section 197.6091,
1.5 subdivisions 2, 5.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2017 Supplement, section 197.6091, subdivision 1, is
1.8 amended to read:

1.9 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.10 the meanings given.

1.11 (b)(1) "Advertising" or "advertisement" means any of the following:

1.12 (i) any written or printed communication made for the purpose of soliciting business for
1.13 veterans benefits appeal services, including but not limited to a brochure, letter, pamphlet,
1.14 newspaper, telephone listing, periodical, or other writing;

1.15 (ii) any directory listing caused or permitted by a person and made available by that
1.16 person indicating that veterans benefits appeal services are being offered; or

1.17 (iii) any radio, television, computer network, or similar airwave or electronic transmission
1.18 that solicits business for or promotes a person offering veterans benefits appeal services.

1.19 (2) "Advertising" or "advertisement" does not include any of the following:

1.20 (i) any printing or writing used on buildings, uniforms, or badges, where the purpose of
1.21 the writing is for identification; or

2.1 ~~(ii) any printing or writing in a memorandum or other communication used in the ordinary~~
2.2 ~~course of business where the sole purpose of the writing is other than soliciting business~~
2.3 ~~for veterans benefits appeal services.~~

2.4 ~~(e) "Veterans benefits appeal services" means services that a veteran might reasonably~~
2.5 ~~require in order to appeal a denial of federal or state veterans benefits, including but not~~
2.6 ~~limited to denials of disability, limited income, home loan, insurance, education and training,~~
2.7 ~~burial and memorial, and dependent and survivor benefits.~~

2.8 ~~(d) (b) "Veterans benefits services" means services that a veteran or a family member~~
2.9 ~~of a veteran might reasonably use in order to obtain federal, state, or county veterans benefits.~~

2.10 ~~(e) (c) "Written disclosure statement" means the written disclosure statement developed~~
2.11 ~~by the commissioner of veterans affairs pursuant to section 196.05, subdivision 1.~~

2.12 Sec. 2. **REPEALER.**

2.13 Minnesota Statutes 2017 Supplement, section 197.6091, subdivisions 2 and 5, are
2.14 repealed.

APPENDIX
Repealed Minnesota Statutes: HF3387-0

197.6091 VETERANS BENEFITS SERVICES; DISCLOSURE REQUIREMENTS.

Subd. 2. **Advertising disclosure requirements.** A person advertising veterans benefits appeal services must conspicuously disclose in the advertisement, in similar type size or voice-over, that veterans benefits appeal services are also offered at no cost by county veterans service officers under sections 197.603 and 197.604.

Subd. 5. **Nonapplicability.** This section does not apply to the owner or personnel of any medium in which an advertisement appears or through which an advertisement is disseminated.