

The Highlighted text in this Bill is the same as in ND HB

REFERENCE TITLE: **veterans' benefits; claims; prohibition**

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2612

Introduced by
Representatives Kupper: Blackman, Marshall, Nguyen

AN ACT

AMENDING SECTION 41-608.01, ARIZONA REVISED STATUTES;
AMENDING TITLE 41, CHAPTER 3, ARTICLE 7, ARIZONA REVISED
STATUTES, BY ADDING SECTION 41-610.03; RELATING TO THE
DEPARTMENT OF VETERANS' SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 41-608.01, Arizona Revised Statutes, is amended to read:
41-608.01. State homes for veterans trust fund; purpose

A. The state homes for veterans trust fund is established. The director shall administer the fund for the sole purpose of operating and maintaining state-operated nursing and domiciliary homes for Arizona veterans.

B. The fund consists of monies deposited by the director from monies generated by operating the Arizona veterans' homes and monies deposited pursuant to ~~section~~ SECTIONS 41-603.01 AND 41-610.03.

C. Monies in the fund are subject to annual appropriation by the legislature. The fund is exempt from the provisions of section 35-190 relating to lapsing of appropriations. Any monies in the fund remaining unexpended or unencumbered at the end of the fiscal year do not revert to the state general fund.

D. On notice from the director, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

Sec. 2. Title 41, chapter 3, article 7, Arizona Revised Statutes, is amended by adding section 41-610.03, to read:

41-610.03. Veterans' benefits; claims; prohibition; exception; civil penalty; definitions

A. A PERSON MAY NOT RECEIVE COMPENSATION FOR REFERRING AN INDIVIDUAL TO ANOTHER PERSON TO ADVISE, CONSULT OR ASSIST THE INDIVIDUAL REGARDING A VETERANS' BENEFITS MATTER.

B. A PERSON MAY RECEIVE COMPENSATION FOR ADVISING, CONSULTING OR ASSISTING AN INDIVIDUAL REGARDING A VETERANS' BENEFITS MATTER IF, BEFORE PROVIDING ANY SERVICES TO THE INDIVIDUAL, THE PERSON PREPARES A WRITTEN AGREEMENT THAT IS SIGNED BY ALL THE PARTIES INVOLVED AND THAT CONTAINS THE FOLLOWING:

1. THE TERMS OF THE AGREEMENT, INCLUDING THE PAYMENT AMOUNT FOR THE SERVICES BEING PROVIDED.

2. THE FOLLOWING DISCLOSURE IN TWELVE-POINT FONT PLACED IN A READILY NOTICEABLE AND EASILY IDENTIFIABLE PLACE IN THE WRITTEN AGREEMENT:

THIS BUSINESS IS NOT SPONSORED BY, ENDORSED BY OR AFFILIATED WITH THE ARIZONA DEPARTMENT OF VETERANS' SERVICES OR THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS OR ANY OTHER FEDERALLY CHARTERED VETERANS' SERVICE ORGANIZATION. THE ARIZONA DEPARTMENT OF VETERANS' SERVICES, THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS, LOCAL VETERANS' SERVICE ORGANIZATIONS OR OTHER FEDERALLY CHARTERED VETERANS' SERVICE

ORGANIZATIONS MAY BE ABLE TO PROVIDE YOU WITH THIS SERVICE FREE OF CHARGE.

C. A PERSON MAY NOT CHARGE AN INITIAL FEE OR A NONREFUNDABLE FEE FOR ADVISING, CONSULTING OR ASSISTING AN INDIVIDUAL REGARDING A VETERANS' BENEFITS MATTER. ANY COMPENSATION RECEIVED PURSUANT TO THIS SECTION SHALL BE CONTINGENT ON THE VETERAN'S BENEFITS BEING INCREASED. COMPENSATION MAY NOT BE MORE THAN FIVE TIMES THE AMOUNT OF THE VETERAN'S INCREASE IN BENEFITS.

D. A PERSON MAY NOT DO ANY OF THE FOLLOWING:

1. GUARANTEE, TO AN INDIVIDUAL THE PERSON IS ADVISING, CONSULTING OR ASSISTING REGARDING A VETERANS' BENEFITS MATTER, THAT THE INDIVIDUAL WILL RECEIVE A SPECIFIC VETERANS' BENEFIT OR A SPECIFIC LEVEL, PERCENTAGE OR AMOUNT OF VETERANS' BENEFITS.

2. RECEIVE COMPENSATION FOR ANY SERVICES PROVIDED REGARDING A VETERANS' BENEFITS MATTER THAT IS FILED WITHIN THE ONE-YEAR PRESUMPTIVE PERIOD OF ACTIVE DUTY RELEASE, UNLESS THE INDIVIDUAL ACKNOWLEDGES IN WRITING BEFORE ANY SERVICES ARE PROVIDED THAT THE INDIVIDUAL IS STILL WITHIN THE ONE-YEAR PRESUMPTIVE PERIOD OF ACTIVE DUTY RELEASE.

3. ADVERTISE SERVICES REGARDING VETERANS' BENEFITS MATTERS WITHOUT INCLUDING THE DISCLOSURE PRESCRIBED IN SUBSECTION B, PARAGRAPH 2 OF THIS SECTION. IF THE ADVERTISEMENT IS PRINTED, THE DISCLOSURE SHALL BE PLACED IN A READILY NOTICEABLE AND EASILY IDENTIFIABLE AREA ON THE ADVERTISEMENT. IF THE ADVERTISEMENT IS VERBAL, THE DISCLOSURE SHALL BE STATED CLEARLY.

4. EMPLOY A MEDICAL PROVIDER TO CONDUCT A SECONDARY MEDICAL EXAMINATION WHEN ADVISING, CONSULTING OR ASSISTING AN INDIVIDUAL REGARDING A VETERANS' BENEFITS MATTER.

5. USE AN INTERNATIONAL CALL CENTER OR DATA CENTER FOR PROCESSING A VETERAN'S PERSONAL INFORMATION.

6. GAIN DIRECT ACCESS TO ANY VETERAN'S PERSONAL MEDICAL, FINANCIAL OR GOVERNMENT BENEFITS INFORMATION.

E. A VIOLATION OF THIS SECTION IS AN UNFAIR, FALSE, MISLEADING OR DECEPTIVE ACT OR PRACTICE IN THE CONDUCT OF TRADE OR COMMERCE UNDER THE LAWS OF THIS STATE. THE ATTORNEY GENERAL MAY BRING AN ACTION IN SUPERIOR COURT AGAINST A PERSON THAT VIOLATES THIS SECTION FOR IMPOSITION OF A CIVIL PENALTY. ANY CIVIL PENALTIES COLLECTED PURSUANT TO THIS SECTION SHALL BE DEPOSITED, PURSUANT TO SECTIONS 35-146

AND 35-147, IN THE STATE HOMES FOR VETERANS TRUST FUND ESTABLISHED BY SECTION 41-608.01

F. THIS SECTION DOES NOT LIMIT, EXPAND OR APPLY TO THE REQUIREMENTS IMPOSED ON AGENTS, ATTORNEYS OR OTHER REPRESENTATIVES WHO ARE ACCREDITED AND REGULATED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS.

G. FOR THE PURPOSES OF THIS SECTION:

1. "COMPENSATION" MEANS ANY MONEY, ITEM OF VALUE OR ECONOMIC BENEFIT CONFERRED ON OR RECEIVED BY AN INDIVIDUAL IN RETURN FOR SERVICES PROVIDED BY A PERSON.

2. "PERSON" INCLUDES ANY CORPORATION, TRUST, PARTNERSHIP, INCORPORATED OR UNINCORPORATED ASSOCIATION, OR ANY OTHER LEGAL ENTITY.

3. "VETERANS' BENEFITS MATTER" MEANS ANY BENEFIT, PROGRAM, SERVICE, COMMODITY, FUNCTION OR STATUS THE ENTITLEMENT TO WHICH IS DETERMINED BY THE DEPARTMENT OF VETERANS' SERVICES OR THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS PERTAINING TO VETERANS, THEIR DEPENDENTS, THEIR SURVIVORS AND ANY OTHER INDIVIDUAL ELIGIBLE FOR SUCH BENEFITS.