

**CHAPTER 114****( HB 149 )**

AN ACT relating to the veterans' program trust fund.

***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

➔Section 1. KRS 40.310 is amended to read as follows:

- (1) The Department of Veterans' Affairs shall collect all necessary data and information regarding facilities and services available to veterans, their families, and dependents, and shall cooperate with all information or service agencies throughout the state in informing such persons regarding the existence or availability of all educational, training, and retraining facilities; health, medical, rehabilitation, and housing services and facilities; employment and reemployment services; provisions of federal, state, and local laws affording rights, privileges, and benefits to said persons, their families, and dependents, and all other matters of similar related or appropriate nature. It shall likewise be the duty of the department to assist veterans and their families and dependents in the presentation, proof, and establishment of all claims, privileges, rights, and other benefits which they may have under federal, state, or local laws, and to cooperate with all national, state, and local government and private agencies securing services or any benefits to veterans, their families, and dependents.
- (2) The commissioner of the Department of Veterans' Affairs shall prepare and submit to the Governor and each member of the board an annual report with reference to claims presented on behalf of veterans and to otherwise report the activities and accomplishments of the department.
- (3) The Department of Veterans' Affairs shall be authorized to apply for and accept gifts, grants, and other contributions from the federal government, or from any other governmental unit which funds shall be administered by the department through use of trust and agency accounts.
- (4) Veterans, as used in KRS 40.305 to 40.310 include any individual who served on active duty during peace or war in the Armed Forces of the United States, and who has received an honorable discharge from such service.
- (5) The Department of Veterans' Affairs shall maintain full, adequate, and complete copies of all records pertaining to claims of veterans who file said claims for benefits through the department.
- (6) The commissioner of the Department of Veterans' Affairs may purchase liability insurance for the protection of employees of the Department of Veterans' Affairs to protect them from liability for acts, omissions, and claims arising in the course and scope of their employment or service to the department.
- (7) ***The Department of Veterans' Affairs shall manage the veterans' program trust fund, established by KRS 40.460, by hosting all board meetings, providing logistical support, recording the minutes of each meeting, and authorizing expenditures once the board has approved a request for funds.***

➔Section 2. KRS 40.353 is amended to read as follows:

- (1) The Kentucky Medal for Freedom is hereby created to be awarded by the Kentucky Department of Veterans' Affairs to an individual who has been killed in action on or after January 1, 1991, while:
  - (a) Engaged in an action against an enemy of the United States;
  - (b) Engaged in military operations involving conflict with an opposing foreign force;
  - (c) Serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party; or
  - (d) Serving in a combat zone as designated by presidential order.
- (2) Individuals eligible to receive the Kentucky Medal for Freedom include:
  - (a) Members of the Kentucky National Guard or a Reserve Component stationed in Kentucky;
  - (b) Members of a state National Guard or a Reserve Component who named Kentucky as a home of record;~~and~~
  - (c) Members of the regular United States Armed Forces who named Kentucky as a home of record; ***and***

- (d) *Members of the regular United States Armed Forces, a state National Guard, or a Reserve Component who were buried in Kentucky on or after July 15, 2008, and have a surviving spouse, parent, or next available family member who is a Kentucky resident.*
- (3) The department shall enter the name of a recipient of the Kentucky Medal for Freedom on the Kentucky Medal for Freedom roll.
- (4) The department shall promulgate administrative regulations in accordance with KRS Chapter 13A to carry out the provisions of this section.
- (5) *The department may receive funds from the veterans' program trust fund to defray the cost of the Kentucky Medal for Freedom.*

**Signed by Governor April 4, 2013.**