

1 AN ACT relating to the protection of veterans' benefits.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 40 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section:

6 (a) "Compensation" means any money, thing of value, or economic benefit
7 conferred on or received by any person in return for services rendered, or to
8 be rendered, by himself or herself or another;

9 (b) "Person" means any natural person, corporation, trust, partnership,
10 incorporated or unincorporated association, or any other legal entity; and

11 (c) "Veterans' benefits matter" means the preparation, presentation, or
12 prosecution of any claim affecting any person who has filed or expressed an
13 intent to file a claim for any benefit, program, service, commodity, function,
14 status, or entitlement to which is determined to pertain to veterans, their
15 dependents, their survivors, or any other individual eligible for the benefits
16 under the laws and regulations administered by the United States
17 Department of Veterans Affairs or the Kentucky Department of Veterans'
18 Affairs.

19 (2) (a) A person shall not advise, assist, or consult any individual concerning any
20 veterans' benefits matter for compensation without clearly providing at the
21 outset of the business relationship the following disclosure both orally and
22 in writing:

23 "This business is not sponsored by or affiliated with the United States
24 Department of Veterans Affairs, the Kentucky Department of Veterans'
25 Affairs, or any other federally chartered veterans' service organization.
26 Other organizations, including but not limited to the Kentucky Department
27 of Veterans' Affairs, a local veterans' service organization, and other

1 federally chartered veterans' service organizations may be able to provide
2 you with this service free of charge. Products or services offered by this
3 business are not necessarily endorsed by any of these organizations. You
4 may qualify for other veterans' benefits beyond the benefits for which you
5 are receiving services here."

6 (b) The written disclosure in paragraph (a) of this subsection shall appear in at
7 least twelve (12) point font and in a readily noticeable and identifiable place
8 in the person's agreement with the individual seeking services. The
9 individual shall verbally acknowledge understanding of the oral disclosure
10 and sign the document in which the written disclosure appears to represent
11 understanding of these provisions. The person offering services shall retain
12 a copy of the written disclosure while providing veterans' benefits services
13 for compensation to the individual and for at least one (1) year after the
14 date on which the service relations terminate.

15 (3) A violation of this section shall constitute an unfair, false, misleading, or
16 deceptive act or practice in the conduct of trade or commerce under KRS 367.170.