

Veterans Benefits Appeal Services

This Act defines “veterans benefits appeal services” as services which a veteran might reasonably require in order to appeal a denial of federal or state veterans benefits, including but not limited to denials of disability, limited-income, home loan, insurance, education and training, burial and memorial, and dependent and survivor benefits. It directs that such services put in their advertising a notice that similar appeals services are offered at no cost by counties or veterans affairs offices operated by the state.

Submitted as:

Iowa

[SF 399 \(Enrolled version\)](#)

Status: Enacted into law in 2011.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act shall be cited as “An Act Regulating Advertising Veterans
2 Benefits Appeal Services.”

3
4 Section 2. [*Regulating Advertising Veterans Benefits Appeal Services.*]

5 (A) As used in this Act:

6 (1) “Advertising” or “advertisement” means any of the following:

7 (a) Any written or printed communication made for the purpose of soliciting,
8 describing, or promoting veterans benefits appeal services, including but not limited to a brochure,
9 letter, pamphlet, newspaper, telephone listing, periodical, or other writing.

10 (b) Any directory listing caused or permitted by a person to be made available
11 which indicates that veterans benefits appeal services are being offered.

12 (c) Any radio, television, computer network, or similar airwave or electronic
13 transmission which solicits or promotes a person offering veterans benefits appeal services.

14 (d) “Advertising” or “advertisement” does not include any of the following:

15 (I) Any printing or writing used on buildings, uniforms, or badges,
16 where the purpose of the writing is for identification.

17 (II) Any printing or writing in a memorandum or other
18 communication used in the ordinary course of business where the sole purpose of the writing is other
19 than the solicitation or promotion of veterans benefits appeal services.

20 (2) “Veteran” means as defined in [insert citation.]

21 (3) “Veterans benefits appeal services” means services which a veteran might
22 reasonably require in order to appeal a denial of federal or state veterans benefits, including but not
23 limited to denials of disability, limited-income, home loan, insurance, education and training, burial
24 and memorial, and dependent and survivor benefits.

25 (B) A person advertising services to represent or assist veterans in appealing a denial of
26 veterans benefits shall conspicuously disclose in the advertisement, in similar type size or voice-
27 over, that appeal services are also offered at no cost by [county commission of veteran affairs
28 offices] as maintained pursuant to [insert citation].

29 (C) A person who fails to comply with the provisions of this section is subject to a civil
30 penalty not to exceed [one thousand] dollars for each violation. Civil penalties shall be assessed by
31 the district court in an action initiated by the attorney general. For the purposes of computing the

32 amount of each civil penalty, each day of a continuing violation constitutes a separate violation.
33 Additionally, the attorney general may accept a civil penalty as determined by the attorney general in
34 settlement of an investigation of a violation of this section regardless of whether an action has been
35 filed pursuant to this section. Any civil penalty recovered shall be deposited in the [Veterans Trust
36 Fund] created in [insert citation].

37 (D) This Act shall not apply to the owner or personnel of any medium in which an
38 advertisement appears or through which an advertisement is disseminated.

39

40 Section 3. [*Severability.*] [Insert severability clause.]

41

42 Section 4. [*Repealer.*] [Insert repealer clause.]

43

44 Section 5. [*Effective Date.*] [Insert effective date.]