

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2466 Session of
2024

INTRODUCED BY DELOZIER, KINSEY, STENDER, JAMES, MOUL, JOZWIAK
AND GALLAGHER, JUNE 28, 2024

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, JUNE 28, 2024

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, in general provisions, providing for
3 prohibiting the receipt of compensation with regard to
4 veterans' benefits.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 51 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 105. Prohibiting the receipt of compensation with regard to
10 veterans' benefits.

11 (a) Prohibitions.--No person shall:

12 (1) Receive compensation for preparing, presenting,
13 prosecuting, advising, consulting or assisting any individual
14 with regard to any veterans' benefits matter, except as
15 permitted under Federal law.

16 (2) Receive compensation for referring an individual to
17 another person to prepare, present, prosecute, advise,
18 consult or assist the individual with any veterans' benefits

1 matter.

2 (3) Receive any compensation for any services rendered
3 before the date on which a notice of disagreement is filed
4 with respect to the individual's case.

5 (4) Guarantee, either directly or by implication, that
6 an individual is certain to receive specific veterans'
7 benefits or that an individual is certain to receive a
8 specific level, percentage or amount of veterans' benefits.

9 (5) Receive excessive or unreasonable fees as
10 compensation for advising or assisting any individual with
11 any veterans' benefits matter. The factors in 38 CFR 14.636
12 (relating to payment of fees for representation by agents and
13 attorneys in proceedings before Agencies of Original
14 Jurisdiction and before the Board of Veterans' Appeals) as of
15 the effective date of this paragraph shall govern
16 determinations of whether a fee is excessive or unreasonable.

17 (b) Transparency.--A person seeking to receive compensation
18 for preparing, presenting, prosecuting, advising, consulting or
19 assisting an individual with any veterans' benefits matter
20 shall, before rendering any services, memorialize all terms
21 regarding the individual's payment of fees for services rendered
22 in a written agreement, signed by both parties, that adheres to
23 all criteria specified within 38 CFR 14.636.

24 (c) Grading.--A violation of this section shall be an
25 unlawful practice and a misdemeanor of the third degree.

26 (d) Definitions.--As used in this section, the following
27 words and phrases shall have the meanings given to them in this
28 subsection unless the context clearly indicates otherwise:

29 "Compensation." Payment of any money, thing of value or
30 financial benefit.

1 "Person." An individual, corporation, business trust,
2 estate, trust, partnership, limited liability company,
3 association, joint venture, public corporation, government or
4 governmental subdivision, agency or instrumentality or any other
5 legal or commercial entity.

6 "Veterans' benefits matter." The preparation, presentation
7 or prosecution of a claim affecting an individual who has filed
8 or expresses an intent to file a claim for a benefit, program,
9 service, commodity, function or status or entitlement to which
10 is determined under the laws and regulations administered by the
11 United States Department of Veterans Affairs or the United
12 States Department of Defense pertaining to veterans, a veteran's
13 dependents, a veteran's survivors or any other individual
14 eligible for the benefits.

15 Section 2. The provisions of this act are severable. If any
16 provision of this act or its application to any person or
17 circumstance is held invalid, the invalidity shall not affect
18 other provisions or applications of this act which can be given
19 effect without the invalid provision or application.

20 Section 3. This act shall take effect in 60 days.