

CHAPTER 29

MILITARY AND VETERANS

SENATE BILL 24-004

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 also REPRESENTATIVE(S) Frizell and Lindstedt, Martinez, Amabile, Armagost, Bacon, Bird, Boesenecker, Bradfield, Bradley, Brown, Catlin, Clifford, Daugherty, deGruy Kennedy, Duran, Epps, Evans, Froelich, Hamrick, Hartsook, Herod, Jodeh, Joseph, Kipp, Lieder, Lindsay, Lynch, Marshall, Mauro, McCormick, Ortiz, Pugliese, Ricks, Snyder, Taggart, Titone, Weissman, Willford, Wilson, Winter T., Woodrow, Young, McCluskie.

AN ACT**CONCERNING THE ADMINISTRATION OF COUNTY VETERANS SERVICE OFFICES.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 28-5-705, **amend** (1)(a)(I) as follows:

28-5-705. Duties. (1) The division, in accordance with its rules, shall perform the following duties and functions:

(a) (I) Formulate, establish, and ~~supervise~~ **ADMINISTER** a plan and standard procedures to further prompt and efficient service to all veterans in the state of Colorado on a uniform basis, whether by the division or by any county veterans service office;

SECTION 2. In Colorado Revised Statutes, **amend** 28-5-707 as follows:

28-5-707. Assistance to county veterans service officers - repeal. (1) (a) The division shall provide satisfactory ~~supervision~~ **MONITORING**, direction, and assistance to all county veterans service officers and shall provide ~~such services and facilities~~ to the county veterans service officers as ~~may be determined by the division to be~~ **DETERMINES** necessary. Out of any ~~moneys~~ **MONEY** appropriated by the general assembly to the division for support to county veterans service officers, the division ~~is authorized to~~ **SHALL** issue vouchers for the ~~semiannual~~ payment to

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

the general fund of ~~each~~ a county ELIGIBLE TO RECEIVE PAYMENT, to be disbursed upon the authority of the county commissioners ~~thereof~~, only for PERFORMANCE OF the purposes of this part 7 and part 8 of this ~~article~~ ARTICLE 5. The division shall annually establish the HOURLY rate of state-funded payments for ~~full-time and part-time~~ county veterans service officers WHO ARE QUALIFIED TO SERVE PURSUANT TO SECTION 28-5-802, based on the available appropriation by the general assembly. ~~except that, if a county is receiving payments under paragraph (b) of this subsection (1) for a veterans service office established for adjacent counties, the payment shall be the total of the semiannual payments for the counties that have jointly formed the veterans service office.~~

(a.5) (I) ON OR BEFORE AUGUST 30, 2024, THE DIVISION SHALL CONVENE A WORKING GROUP FOR THE PURPOSE OF CONSULTING WITH COUNTY COMMISSIONERS REGARDING THE DEVELOPMENT OF A METHOD FOR DISTRIBUTING STATE-FUNDED PAYMENTS FOR COUNTY VETERANS SERVICE OFFICERS. THE WORKING GROUP MUST INCLUDE THREE COUNTY COMMISSIONERS, RECOMMENDED FOR APPOINTMENT TO THE WORKING GROUP BY A STATEWIDE ASSOCIATION OF COUNTY COMMISSIONERS.

(II) THE DIVISION MUST FINALIZE A METHOD FOR DISTRIBUTING STATE-FUNDED PAYMENTS FOR COUNTY VETERANS SERVICE OFFICERS BY NO LATER THAN DECEMBER 31, 2024.

(III) THIS SUBSECTION (1)(a.5) IS REPEALED, EFFECTIVE JULY 1, 2026.

(b) If adjacent counties jointly establish a veterans service office for the counties pursuant to section 28-5-801 (2), the division may issue a voucher to the general fund of the county ~~containing~~ THAT EMPLOYS the veterans service office OFFICERS in an amount equal to the total of the ~~semiannual~~ payments that would have been provided to each of ~~such~~ THE counties ~~under paragraph (a) of this subsection (1)~~ PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION.

(2) ~~Such semiannual payments shall be made only on application by such county commissioners to the division, which application shall state and certify the amount such county commissioners have authorized to be disbursed for such purposes out of other moneys in such county general fund for the period covered by the application.~~ THE DIVISION SHALL MAKE THE PAYMENTS DESCRIBED IN SUBSECTION (1) OF THIS SECTION TO THE COUNTY COMMISSIONERS UPON APPLICATION BY THE COUNTY COMMISSIONERS. THE COUNTY COMMISSIONERS MUST SUBMIT THE APPLICATION FOR PAYMENT AT THE TIME AND IN THE FORM AND MANNER PRESCRIBED BY THE DIVISION.

SECTION 3. In Colorado Revised Statutes, **amend** 28-5-801 as follows:

28-5-801. Establishment of veterans service offices. (1) The board of county commissioners of each county in this state shall establish a county veterans service office and shall appoint a county veterans service officer for ~~such~~ THE county ~~and such~~ TO FURTHER PROMPT AND EFFICIENT SERVICE TO ALL VETERANS IN THE STATE OF COLORADO ON A UNIFORM BASIS. IF THE BOARD OF COUNTY COMMISSIONERS DETERMINES THAT ADDITIONAL COUNTY VETERANS SERVICE OFFICERS ARE NECESSARY, THE BOARD MAY AUTHORIZE THE APPOINTED COUNTY VETERANS SERVICE OFFICER TO HIRE ADDITIONAL COUNTY VETERANS SERVICE OFFICERS. A

board of county commissioners may also ~~appoint~~ AUTHORIZE THE APPOINTED COUNTY VETERANS SERVICE OFFICER TO HIRE any ~~assistant and such clerical help~~ STAFF as ~~may be deemed~~ THE BOARD DETERMINES necessary ~~each at such~~ AT A RATE OF compensation as ~~shall be fixed by such~~ THE board, together with the necessary and actual traveling and other expenses incurred in their work as ~~shall be approved~~ by ~~such~~ THE board of county commissioners and ~~such~~ other expenses as ~~such~~ THE board ~~may deem~~ DEEMS necessary for the proper operation of ~~such~~ THE office, payable monthly out of the county general fund in the manner provided by law. The board of county commissioners, in its discretion, may ~~appoint~~ AUTHORIZE THE APPOINTED COUNTY VETERANS SERVICE OFFICER TO HIRE any county officer, official, or employee as ~~such~~ A county veterans service officer, ~~or as such assistant~~ if qualified to serve as ~~such~~ under PURSUANT TO the provisions of section 28-5-802, ~~or as clerical help to such county veterans officer~~ at ~~such~~ A RATE OF additional compensation for ~~such~~ additional duties as ~~shall be fixed by the board of county commissioners.~~

(2) The boards of county commissioners of adjacent counties may act jointly in establishing a veterans service office for such counties and in appointing a veterans service officer, AUTHORIZING THE HIRING OF ADDITIONAL COUNTY VETERANS SERVICE OFFICERS, and ~~an assistant and such necessary clerical help~~ AUTHORIZING THE HIRING OF STAFF as ~~may be deemed~~ DETERMINED necessary to operate ~~such~~ AN office for ~~such~~ THE counties, at ~~such~~ A RATE OF compensation as ~~may be fixed by the joint action of the boards of county commissioners joining in the appointment~~ OR AUTHORIZED HIRE of ~~such~~ AN officer ~~and assistant and clerical help~~ OR AUTHORIZED HIRE OF STAFF, together with the actual and necessary expenses incurred in ~~the conduct of their work, as shall be approved by such~~ THE boards of county commissioners. The salaries, ~~and~~ expenses, and all other jointly approved expenses necessary for the proper operation of ~~such~~ THE office ~~shall~~ MUST be paid ~~monthly~~ by the boards of county commissioners out of their respective county general funds in the manner provided by law, each county bearing its share ~~thereof~~ in the proportion that the population of each county bears to the total population of the counties combining to establish ~~such~~ THE office.

SECTION 4. In Colorado Revised Statutes, **amend** 28-5-802 as follows:

28-5-802. Qualifications - term of office. (1) (a) ~~The~~ AN APPOINTED county veterans service officer ~~or assistant~~ at the time of appointment must be a resident of the state, have served in the United States Army, Air Force, Navy, Marine Corps, Space Force, or Coast Guard, or any auxiliary branch thereof, and have been honorably discharged ~~therefrom~~ or be a discharged LGBT veteran, or be an officer released from active duty with the armed forces and placed on inactive duty. ~~therein.~~ Before ~~such appointments are~~ AN APPOINTMENT IS made, the board of county commissioners making the ~~appointments must~~ APPOINTMENT MAY seek the advice and counsel of the chief officer of each post of the regularly established and existing veterans organizations of the county ~~wherein~~ WHERE the officer ~~or assistant~~ is to serve as to the qualifications and experience of the applicant for the position. The appointee must be well-qualified based on the appointee's education and experience to perform the duties of A county veterans service officer. The division shall recommend education and experience qualifications for the position of A county veterans service officer.

(b) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION, A COUNTY VETERANS SERVICE OFFICER WHO IS AUTHORIZED TO BE HIRED BY THE APPOINTED COUNTY VETERANS SERVICE OFFICER IS NOT REQUIRED TO HAVE SERVED IN THE UNITED STATES ARMY, AIR FORCE, NAVY, MARINE CORPS, SPACE FORCE, OR COAST GUARD, OR ANY AUXILIARY BRANCH THEREOF, AND IS NOT REQUIRED TO HAVE BEEN HONORABLY DISCHARGED OR A DISCHARGED LGBT VETERAN, OR BE AN OFFICER RELEASED FROM ACTIVE DUTY WITH THE ARMED FORCES AND PLACED ON INACTIVE DUTY.

(2) ~~Such appointments shall be for the term of two years~~ AN APPOINTMENT DESCRIBED IN SUBSECTION (1) OF THIS SECTION IS FOR A TWO-YEAR TERM. At the expiration of ~~such~~ THE term or in case of a vacancy, the board of county commissioners making the ~~appointments~~ APPOINTMENT may either reappoint the ~~present incumbents~~ INCUMBENT to the ~~positions~~ POSITION of a county veterans service officer or assistant, or may consider ~~new applicants and make appointments of other applicants as such~~ APPOINT A county veterans service officer or assistant in the manner specified in this ~~article~~ ARTICLE 5.

(3) IN ORDER TO BE ELIGIBLE TO BE A COUNTY VETERANS SERVICE OFFICER AND TO SERVE AS A CLAIMANT'S REPRESENTATIVE AND TO ASSIST A VETERAN CLAIMANT WITH THE PREPARATION, PRESENTATION, OR PROSECUTION OF A CLAIM FOR A UNITED STATES DEPARTMENT OF VETERANS AFFAIRS BENEFIT, A PERSON MUST BE CERTIFIED BY THE STATE IN ACCORDANCE WITH THE TRAINING AND CERTIFICATION PROGRAM DEVELOPED PURSUANT TO SECTION 28-5-705 (1)(f) AND ACCREDITED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS PURSUANT TO REQUIREMENTS DESCRIBED IN 38 CFR 14.629, AS AMENDED.

SECTION 5. In Colorado Revised Statutes, **amend** 28-5-803 as follows:

28-5-803. Duties. ~~It is the duty of the~~ A county veterans service officer ~~and his or her assistant~~ shall assist any resident of the state of Colorado who is a veteran, or ~~their~~ THE surviving spouse, administrator, executor, guardian, conservator, or heir of any ~~said~~ veteran, or any other person who may have proper claim, by the filing of claims for insurance, pensions, compensation for disability, hospitalization, vocational training, or any other benefits ~~which such~~ THAT THE person may be or may have been entitled to receive under the laws of the United States or the state of Colorado by reason of ~~such~~ service.

SECTION 6. In Colorado Revised Statutes, **amend** 28-5-804 as follows:

28-5-804. Cooperation with division of veterans affairs. ~~The~~ A county veterans service officer shall cooperate with the division of veterans affairs, its officers and employees, and other national, state, or county veterans service officers in the performance of ~~his or her~~ THE OFFICER'S duties. ~~He or she~~ A COUNTY VETERANS SERVICE OFFICER, on request, shall assist the division in every reasonable way, including the rendering of any reports requested by the division and the handling or processing of any veterans cases or other matters according to standard procedures established by the division in furtherance of efficient and prompt service to all veterans in the state of Colorado on a uniform basis. ~~Such~~ AN officer shall always work in the best interest of ~~his or her~~ THE OFFICER'S clients in an attempt to maximize the amount of federal veteran benefits that they receive. Additionally, the

county veterans service officer shall undertake programs and engage in activities to reduce state public assistance expenditures as directed by the division.

SECTION 7. In Colorado Revised Statutes, **amend** 28-5-805 as follows:

28-5-805. Office space and supplies. The board of county commissioners shall furnish ~~the~~ A county veterans service officer ~~and assistant~~ with office space and necessary supplies.

SECTION 8. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 22, 2024