

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 21-0480.01 Conrad Imel x2313

SENATE BILL 21-015

SENATE SPONSORSHIP

Cooke and Garcia,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A STIPEND FOR VETERANS SERVICE ORGANIZATIONS**
102 **THAT PROVIDE FUNERAL SERVICES FOR HONORABLY**
103 **DISCHARGED VETERANS, AND, IN CONNECTION THEREWITH,**
104 **MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the department of military and veterans affairs to pay, subject to available money, a stipend of up to \$75 to a veterans service organization for each time the organization performs a basic

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
April 1, 2021

military funeral honors ceremony or other funeral-related services for an honorably discharged veteran.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Rendering of military funeral honors is a way to show the
5 nation's deep gratitude to those who have faithfully defended our country
6 in times of war and peace; and

7 (b) The ceremonial paying of respect is the final demonstration
8 that a grateful nation can provide to a veteran's family.

9 **SECTION 2.** In Colorado Revised Statutes, **add 28-5-507** as
10 follows:

11 **28-5-507. Veterans service organization stipend - funeral**
12 **services - process - definitions - repeal.** (1) AS USED IN THIS SECTION,
13 UNLESS THE CONTEXT OTHERWISE REQUIRES:

14 (a) "CONGRESSIONALLY CHARTERED VETERANS SERVICE
15 ORGANIZATION" MEANS AN ORGANIZATION THAT AIDS AND SERVES
16 VETERANS AND SERVICE MEMBERS AND THEIR DEPENDENTS AND
17 SURVIVORS, HAS BEEN GRANTED A CHARTER BY THE UNITED STATES
18 CONGRESS THROUGH THE ENACTMENT OF A PUBLIC LAW, AND IS INCLUDED
19 IN THE LIST OF PATRIOTIC AND NATIONAL ORGANIZATIONS IN 36 U.S.C.
20 SEC. 20101, ET SEQ.

21 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF MILITARY AND
22 VETERANS AFFAIRS CREATED AND EXISTING PURSUANT TO SECTION
23 24-1-127.

24 (c) "LOCAL VETERANS SERVICE ORGANIZATION" MEANS AN
25 AUXILIARY, LOCAL UNIT, OR DIVISION OF A CONGRESSIONALLY CHARTERED

1 VETERANS SERVICE ORGANIZATION, OPERATING IN COLORADO.

2 (2) (a) THE DEPARTMENT SHALL PAY, SUBJECT TO AVAILABLE
3 APPROPRIATIONS, UP TO SEVENTY-FIVE DOLLARS, REFERRED TO IN THIS
4 SECTION AS A "STIPEND", TO A LOCAL VETERANS SERVICE ORGANIZATION
5 FOR EACH TIME THE ORGANIZATION PROVIDES AN HONOR GUARD DETAIL
6 TO PERFORM ANY OF THE FOLLOWING SERVICES AT THE FUNERAL OF A
7 DECEASED HONORABLY DISCHARGED VETERAN:

8 (I) A BASIC MILITARY FUNERAL HONORS CEREMONY, AS DESCRIBED
9 IN SUBSECTION (3)(a) OF THIS SECTION; OR

10 (II) ANY OTHER FUNERAL-RELATED SERVICES AND PERSONNEL,
11 INCLUDING BUT NOT LIMITED TO PALLBEARERS, RIFLE TEAMS, AND
12 CHAPLAIN OR RELIGIOUS SERVICES.

13 (b) THE DEPARTMENT SHALL PAY A SEVENTY-FIVE-DOLLAR
14 STIPEND TO A LOCAL VETERANS SERVICE ORGANIZATION FOR SERVICES
15 PERFORMED AT EACH FUNERAL BUT MAY DECREASE THE AMOUNT OF THE
16 STIPEND PAID FOR SERVICES PERFORMED AT A SECOND OR SUBSEQUENT
17 FUNERAL WHEN AN ORGANIZATION PERFORMS SERVICES AT MORE THAN
18 ONE FUNERAL ON THE SAME DAY. WHEN DETERMINING THE AMOUNT OF
19 THE STIPEND FOR SERVICES AT A SECOND OR SUBSEQUENT FUNERAL, THE
20 DEPARTMENT SHALL CONSIDER THE ACTUAL EXPENSES INCURRED BY THE
21 ORGANIZATION AND ITS MEMBERS FOR PROVIDING THE SERVICES,
22 INCLUDING MILEAGE AND TRANSPORTATION COSTS AND MEALS.

23 (c) IN ORDER TO RECEIVE A STIPEND FOR PROVIDING SERVICES AT
24 A FUNERAL, A LOCAL VETERANS SERVICE ORGANIZATION MUST REQUEST
25 THE STIPEND PURSUANT TO THE PROCESS ESTABLISHED BY THE
26 DEPARTMENT.

27 (3) (a) THE BASIC MILITARY FUNERAL HONORS CEREMONY FOR A

1 VETERAN CONSISTS OF FOLDING AND PRESENTING THE UNITED STATES
2 FLAG TO THE VETERAN'S FAMILY, IF FAMILY MEMBERS ARE AVAILABLE,
3 AND PLAYING TAPS. TAPS MUST BE PLAYED BY A BUGLER OR, IF A BUGLER
4 IS NOT AVAILABLE, BY USING A HIGH-QUALITY RECORDED VERSION.

5 (b) IF THE LOCAL VETERANS SERVICE ORGANIZATION PROVIDES A
6 STUDENT TO PLAY TAPS, THE ORGANIZATION MAY PAY SOME OR ALL OF
7 THE SEVENTY-FIVE DOLLARS TO THE STUDENT.

8 (4) ON OR BEFORE JANUARY 15, 2022, THE DEPARTMENT SHALL
9 CREATE A PROCESS FOR A LOCAL VETERANS SERVICE ORGANIZATION TO
10 APPLY FOR AND RECEIVE A STIPEND. IN ADDITION TO ANY OTHER
11 REQUIREMENTS, THE PROCESS MUST REQUIRE THE ORGANIZATION TO:

12 (a) REQUEST THE STIPEND WITHIN FIFTEEN DAYS AFTER PROVIDING
13 THE FUNERAL SERVICES;

14 (b) PROVIDE THE NAME OF THE DECEASED VETERAN FOR WHICH
15 THE SERVICES WERE PERFORMED;

16 (c) DESCRIBE THE SERVICES PERFORMED; AND

17 (d) IF THE ORGANIZATION IS SEEKING A STIPEND FOR SERVICES
18 PERFORMED AT A SECOND OR SUBSEQUENT FUNERAL ON THE SAME DAY AS
19 ANOTHER FUNERAL, SUBMIT THE AMOUNT OF ACTUAL EXPENSES INCURRED
20 BY THE ORGANIZATION AND ITS MEMBERS FOR PROVIDING THE SERVICES,
21 INCLUDING MILEAGE AND TRANSPORTATION COSTS AND MEALS.

22 (5) (a) FOR THE 2021-22 STATE FISCAL YEAR, THE GENERAL
23 ASSEMBLY SHALL APPROPRIATE TWENTY THOUSAND DOLLARS TO THE
24 DEPARTMENT FOR THE PURPOSES OF THIS SECTION.

25 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2022.

26 **SECTION 3. Appropriation.** For the 2021-22 state fiscal year,
27 **\$30,930 is appropriated to the department of military and veterans affairs**

1 for use by the division of veterans affairs. This appropriation is from the
2 general fund and is based on an assumption that the division will require
3 an additional 0.3 FTE. To implement this act, the division may use this
4 appropriation for the western slope veterans cemetery.

5 **SECTION 4. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly; except
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V
9 of the state constitution against this act or an item, section, or part of this
10 act within such period, then the act, item, section, or part will not take
11 effect unless approved by the people at the general election to be held in
12 November 2022 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.