

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

**INTRODUCED**

LLS NO. 21-0546.01 Kristen Forrestal x4217

**HOUSE BILL 21-1065**

---

**HOUSE SPONSORSHIP**

**Ortiz and Carver,**

**SENATE SPONSORSHIP**

**(None),**

---

**House Committees**

State, Civic, Military and Veterans Affairs

**Senate Committees**

---

**A BILL FOR AN ACT**

101      **CONCERNING THE AUTHORITY OF A PRIVATE EMPLOYER TO ADOPT A**  
102                    **VETERANS' PREFERENCE EMPLOYMENT POLICY WHEN HIRING**  
103                    **NEW EMPLOYEES.**

---

**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 creates a statutory basis to allow a private employer to give preference to a veteran of the armed forces or the National Guard and the spouse of a disabled veteran or a service member killed in the line of duty when hiring a new employee, as long as the veteran or the spouse is as qualified as other applicants for employment. The bill allows a

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.

private employer's veterans' preference employment policy to also include the preferential hiring of veterans who have been discharged from active duty within the last 10 years, as determined by the discharge date. The bill clarifies that a private employer that adopts a program that gives preferences to veterans or their spouses is not committing a discriminatory or unfair labor practice.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 8-1-153** as  
3 follows:

4 **8-1-153. Private employers - employment preference for**  
5 **veterans - definitions.** (1) AS USED IN THIS SECTION:

6 (a) "DISABLED VETERAN" MEANS A VETERAN WHO HAS A  
7 COMPENSABLE, SERVICE-CONNECTED DISABILITY AS ADJUDICATED BY THE  
8 UNITED STATES DEPARTMENT OF VETERANS AFFAIRS OR THE APPROPRIATE  
9 BRANCH OF THE ARMED FORCES.

10 (b) "PRIVATE EMPLOYER" MEANS A PRIVATE, NONPUBLIC PERSON  
11 THAT EMPLOYS ONE OR MORE EMPLOYEES WITHIN THE STATE.

12 (c) "VETERAN" MEANS AN INDIVIDUAL WHO:

13 (I) HAS SERVED ON ACTIVE DUTY WITH THE ARMED FORCES OF THE  
14 UNITED STATES FOR A PERIOD OF MORE THAN ONE HUNDRED EIGHTY DAYS  
15 AND WAS DISCHARGED OR RELEASED FROM ACTIVE DUTY UNDER  
16 CONDITIONS OTHER THAN DISHONORABLE;

17 (II) WAS DISCHARGED OR RELEASED FROM ACTIVE DUTY WITH THE  
18 ARMED FORCES OF THE UNITED STATES BECAUSE OF A  
19 SERVICE-CONNECTED DISABILITY; OR

20 (III) IS OR HAS BEEN A MEMBER OF THE NATIONAL GUARD FOR A  
21 PERIOD OF MORE THAN ONE HUNDRED EIGHTY DAYS OR WHO HAS  
22 SEPARATED FROM THE NATIONAL GUARD UNDER CONDITIONS OTHER THAN

1 DISHONORABLE.

2 (d) "VETERANS' PREFERENCE EMPLOYMENT POLICY" MEANS A  
3 PRIVATE EMPLOYER'S PREFERENCE FOR HIRING A VETERAN OR A SPOUSE OF  
4 A DISABLED VETERAN OR A SERVICE MEMBER KILLED IN THE LINE OF DUTY  
5 OVER ANOTHER APPLICANT IF THE VETERAN OR THE SPOUSE IS AT LEAST  
6 AS QUALIFIED AS THE OTHER APPLICANT. A VETERANS' PREFERENCE  
7 EMPLOYMENT POLICY MAY INCLUDE PREFERENTIAL HIRING OF VETERANS  
8 WHO HAVE BEEN DISCHARGED FROM ACTIVE DUTY WITHIN THE LAST TEN  
9 YEARS, AS DETERMINED BY THE DATE OF DISCHARGE.

10 (2) A PRIVATE EMPLOYER MAY ADOPT AND APPLY A VETERANS'  
11 PREFERENCE EMPLOYMENT POLICY IF THE PRIVATE EMPLOYER APPLIES THE  
12 VETERANS' PREFERENCE EMPLOYMENT POLICY UNIFORMLY TO ALL HIRING  
13 DECISIONS.

14 (3) THE ADOPTION AND APPLICATION OF A VETERANS' PREFERENCE  
15 EMPLOYMENT POLICY BY A PRIVATE EMPLOYER IN ACCORDANCE WITH THIS  
16 SECTION IS NOT A DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE IN  
17 VIOLATION OF PART 4 OF ARTICLE 34 OF TITLE 24.

18 **SECTION 2. Act subject to petition - effective date.** This act  
19 takes effect at 12:01 a.m. on the day following the expiration of the  
20 ninety-day period after final adjournment of the general assembly; except  
21 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
22 of the state constitution against this act or an item, section, or part of this  
23 act within such period, then the act, item, section, or part will not take  
24 effect unless approved by the people at the general election to be held in  
25 November 2022 and, in such case, will take effect on the date of the  
26 official declaration of the vote thereon by the governor.