

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

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, & 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 - veterans' preference hiring**  
5 **policy - definitions - repeal.** (1) AS USED IN THIS SECTION:

6 (a) "ELIGIBLE INDIVIDUAL" MEANS:

7 (I) A VETERAN WITH A DISABILITY WHO HAS A ONE HUNDRED  
8 PERCENT PERMANENT AND TOTAL DISABILITY RATING IF THE DATE OF  
9 HIRING IS WITHIN TEN YEARS AFTER THE VETERAN'S DATE OF DISCHARGE;

10 (II) A VETERAN, A VETERAN WITH A LESS THAN ONE HUNDRED  
11 PERCENT PERMANENT AND TOTAL DISABILITY RATING, A MEMBER OF THE  
12 MILITARY RESERVES, OR A MEMBER OF THE NATIONAL GUARD WHO  
13 RECEIVED DISCHARGE DOCUMENT DD214 IF THE DATE OF HIRING IS  
14 WITHIN FIVE YEARS AFTER THE DATE OF DISCHARGE; OR

15 (III) THE SPOUSE OF A SERVICE MEMBER KILLED IN THE LINE OF  
16 DUTY IF THE DATE OF HIRING IS WITHIN FIVE YEARS AFTER THE DATE OF  
17 THE DEATH OF THE SERVICE MEMBER.

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

20 (c) "VETERAN" HAS THE SAME MEANING AS SET FORTH IN SECTION  
21 8-14.3-202 (8).

22 (d) "VETERANS' PREFERENCE HIRING POLICY" MEANS A PRIVATE

1 EMPLOYER'S PREFERENCE FOR HIRING AN ELIGIBLE INDIVIDUAL IF THE  
2 ELIGIBLE INDIVIDUAL IS AT LEAST AS QUALIFIED AS THE OTHER  
3 APPLICANTS.

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

8 (2) A PRIVATE EMPLOYER MAY ADOPT AND APPLY A VETERANS'  
9 PREFERENCE HIRING POLICY IF:

10 (a) THE PRIVATE EMPLOYER APPLIES THE VETERANS' PREFERENCE  
11 HIRING POLICY UNIFORMLY TO ALL HIRING DECISIONS;

12 (b) THE PRIVATE EMPLOYER REQUIRES A VETERAN TO PROVIDE  
13 PROOF OF SERVICE BY FURNISHING A COPY OF THE VETERAN'S DISCHARGE  
14 DOCUMENT DD214;

15 (c) THE PRIVATE EMPLOYER REQUIRES THE SPOUSE OF A SERVICE  
16 MEMBER KILLED IN THE LINE OF DUTY TO FURNISH PROOF OF MARRIAGE TO  
17 THE SERVICE MEMBER KILLED IN THE LINE OF DUTY AND A COPY OF THE  
18 SERVICE MEMBER'S DISCHARGE DOCUMENT DD214 AND THE DEATH  
19 CERTIFICATE; AND

20 (d) THE VETERANS' PREFERENCE HIRING POLICY IS IN WRITING AND  
21 SPECIFIES THE DATE THAT THE POLICY TAKES EFFECT.

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

26 (4) A PRIVATE EMPLOYER MAY ADVERTISE FOR AND ACTIVELY  
27 RECRUIT VETERANS TO APPLY FOR EMPLOYMENT WITH THE PRIVATE

1 EMPLOYER REGARDLESS OF WHETHER THE PRIVATE EMPLOYER ADOPTS A  
2 VETERANS' PREFERENCE HIRING POLICY.

3 (5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2029.  
4 BEFORE THE REPEAL, THE VETERANS' PREFERENCE HIRING POLICY IS  
5 SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104.

6 SECTION 2. In Colorado Revised Statutes, 24-34-104, add  
7 (30)(a)(VII) as follows:

8 24-34-104. General assembly review of regulatory agencies  
9 and functions for repeal, continuation, or reestablishment - legislative  
10 declaration - repeal. (30) (a) The following agencies, functions, or both,  
11 are scheduled for repeal on September 1, 2029:

12 (VII) THE VETERANS' PREFERENCE HIRING POLICY ESTABLISHED IN  
13 SECTION 8-1-153.

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