

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 24-0533.01 Jacob Baus x2173

SENATE BILL 24-004

SENATE SPONSORSHIP

Pelton R. and Fields, Rodriguez, Van Winkle

HOUSE SPONSORSHIP

Frizell and Lindstedt, Martinez

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE ADMINISTRATION OF COUNTY VETERANS SERVICE**
102 **OFFICES.**

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/>.)

Legislative Audit Committee. Under current law, the division of veterans affairs (division) in the department of military and veterans affairs has a duty to supervise county veterans service offices (county offices). The bill changes the division's duty to instead monitor county offices.

The bill changes procedures for the division's payment to counties

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

for the performance of certain veterans services.

The bill adds state certification and United States accreditation requirements in order for a county veterans service officer to be eligible 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.

Current law requires a board of county commissioners to appoint a county veterans service officer or officers. The bill qualifies that the appointment of a county veteran service officer is on an as-necessary basis.

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

2 **SECTION 1.** In Colorado Revised Statutes, 28-5-705, **amend**

3 (1)(a)(I) as follows:

4 **28-5-705. Duties.** (1) The division, in accordance with its rules,
5 shall perform the following duties and functions:

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

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

12 **28-5-707. Assistance to county veterans service officers.**

13 (1) (a) The division shall provide satisfactory ~~supervision~~ MONITORING,
14 direction, and assistance to all county veterans service officers and shall
15 provide ~~such services and facilities~~ to the county veterans service officers
16 as ~~may be determined by~~ the division ~~to be~~ DETERMINES necessary. Out
17 of any ~~moneys~~ MONEY appropriated by the general assembly to the
18 division for support to county veterans service officers, the division ~~is~~
19 ~~authorized to~~ SHALL issue vouchers for the ~~semiannual~~ payment to the
20 general fund of ~~each~~ A county ELIGIBLE TO RECEIVE PAYMENT, to be

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

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

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

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

3 **28-5-801. Establishment of veterans service offices.** (1) The
4 board of county commissioners of each county in this state shall establish
5 a county veterans service office and shall appoint a county veterans
6 service officer, OR OFFICERS AS THE BOARD DETERMINES NECESSARY, for
7 ~~such~~ THE county TO FURTHER PROMPT AND EFFICIENT SERVICE TO ALL
8 VETERANS IN THE STATE OF COLORADO ON A UNIFORM BASIS. ~~and such~~ A
9 board of county commissioners may also appoint any ~~assistant and such~~
10 ~~clerical help~~ STAFF as ~~may be deemed~~ THE BOARD DETERMINES necessary
11 ~~each at such~~ AT A RATE OF compensation as ~~shall be~~ fixed by ~~such~~ THE
12 board, together with the necessary and actual traveling and other expenses
13 incurred in their work as ~~shall be~~ approved by ~~such~~ THE board of county
14 commissioners and ~~such~~ other expenses as ~~such~~ THE board ~~may deem~~
15 DEEMS necessary for the proper operation of ~~such~~ THE office, payable
16 monthly out of the county general fund in the manner provided by law.
17 The board of county commissioners, in its discretion, may appoint any
18 county officer, official, or employee as ~~such~~ A county veterans service
19 officer, ~~or as such assistant~~ if qualified to serve ~~as such under~~ PURSUANT
20 TO the provisions of section 28-5-802, ~~or as clerical help to such county~~
21 ~~veterans officer~~ at ~~such~~ A RATE OF additional compensation for ~~such~~
22 additional duties as ~~shall be~~ fixed by the board of county commissioners.

23 (2) The boards of county commissioners of adjacent counties may
24 act jointly in establishing a veterans service office for such counties and
25 in appointing a veterans service officer and ~~an assistant and such~~
26 ~~necessary clerical help~~ STAFF as ~~may be deemed~~ DETERMINED necessary
27 to operate ~~such~~ AN office for ~~such~~ THE counties, at ~~such~~ A RATE OF

1 compensation as ~~may be~~ fixed by the ~~joint action of the~~ boards of county
2 commissioners joining in the appointment of ~~such~~ AN officer ~~and assistant~~
3 ~~and clerical help~~ OR STAFF, together with the actual and necessary
4 expenses incurred in ~~the conduct of~~ their work, as ~~shall be~~ approved by
5 ~~such~~ THE boards of county commissioners. The salaries, ~~and~~ expenses,
6 and all other jointly approved expenses necessary for the proper operation
7 of ~~such~~ THE office ~~shall~~ MUST be paid ~~monthly~~ by the boards of county
8 commissioners out of their respective county general funds in the manner
9 provided by law, each county bearing its share ~~thereof~~ in the proportion
10 that the population of each county bears to the total population of the
11 counties combining to establish ~~such~~ THE office.

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

14 **28-5-802. Qualifications - term of office.** (1) ~~The~~ A county
15 veterans service officer ~~or assistant~~ at the time of appointment must be a
16 resident of the state, have served in the United States Army, Air Force,
17 Navy, Marine Corps, Space Force, or Coast Guard, or any auxiliary
18 branch thereof, and have been honorably discharged ~~therefrom~~ or be a
19 discharged LGBT veteran, or be an officer released from active duty with
20 the armed forces and placed on inactive duty. ~~therein.~~ Before ~~such~~
21 ~~appointments are~~ AN APPOINTMENT IS made, the board of county
22 commissioners making the ~~appointments~~ APPOINTMENT must seek the
23 advice and counsel of the chief officer of each post of the regularly
24 established and existing veterans organizations of the county ~~wherein~~
25 ~~WHERE~~ the officer ~~or assistant~~ is to serve as to the qualifications and
26 experience of the applicant for the position. The appointee must be
27 well-qualified based on the appointee's education and experience to

1 perform the duties of A county veterans service officer. The division shall
2 recommend education and experience qualifications for the position of A
3 county veterans service officer.

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

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

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

24 **28-5-803. Duties.** ~~It is the duty of the~~ A county veterans service
25 officer ~~and his or her assistant~~ to shall assist any resident of the state of
26 Colorado who is a veteran, or ~~their~~ THE surviving spouse, administrator,
27 executor, guardian, conservator, or heir of any ~~said~~ veteran, or any other

1 person who may have proper claim, by the filing of claims for insurance,
2 pensions, compensation for disability, hospitalization, vocational training,
3 or any other benefits ~~which such~~ THAT THE person may be or may have
4 been entitled to receive under the laws of the United States or the state of
5 Colorado by reason of ~~such~~ service.

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

8 **28-5-804. Cooperation with division of veterans affairs.** ~~The~~ A
9 county veterans service officer shall cooperate with the division of
10 veterans affairs, its officers and employees, and other national, state, or
11 county veterans service officers in the performance of ~~his or her~~ THE
12 OFFICER'S duties. ~~He or she~~ A COUNTY VETERANS SERVICE OFFICER, on
13 request, shall assist the division in every reasonable way, including the
14 rendering of any reports requested by the division and the handling or
15 processing of any veterans cases or other matters according to standard
16 procedures established by the division in furtherance of efficient and
17 prompt service to all veterans in the state of Colorado on a uniform basis.
18 ~~Such~~ AN officer shall always work in the best interest of ~~his or her~~ THE
19 OFFICER'S clients in an attempt to maximize the amount of federal veteran
20 benefits that they receive. Additionally, the county veterans service
21 officer shall undertake programs and engage in activities to reduce state
22 public assistance expenditures as directed by the division.

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

25 **28-5-805. Office space and supplies.** The board of county
26 commissioners shall furnish ~~the~~ A county veterans service officer ~~and~~
27 ~~assistant~~ with office space and necessary supplies.

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