

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

PREAMENDED

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

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 for ~~such~~ THE county ~~and such~~ TO FURTHER PROMPT AND
7 EFFICIENT SERVICE TO ALL VETERANS IN THE STATE OF COLORADO ON A
8 UNIFORM BASIS. IF THE BOARD OF COUNTY COMMISSIONERS DETERMINES
9 THAT ADDITIONAL COUNTY VETERANS SERVICE OFFICERS ARE NECESSARY,
10 THE BOARD MAY AUTHORIZE THE APPOINTED COUNTY VETERANS SERVICE
11 OFFICER TO HIRE ADDITIONAL COUNTY VETERANS SERVICE OFFICERS. A
12 board of county commissioners may also appoint AUTHORIZE THE
13 APPOINTED COUNTY VETERANS SERVICE OFFICER TO HIRE any ~~assistant and~~
14 ~~such clerical help~~ STAFF as ~~may be deemed~~ THE BOARD DETERMINES
15 necessary ~~each at such~~ AT A RATE OF compensation as ~~shall be~~ fixed by
16 ~~such~~ THE board, together with the necessary and actual traveling and other
17 expenses incurred in their work as ~~shall be~~ approved by ~~such~~ THE board
18 of county commissioners and ~~such~~ other expenses as ~~such~~ THE board ~~may~~
19 ~~deem~~ DEEMS necessary for the proper operation of ~~such~~ THE office,
20 payable monthly out of the county general fund in the manner provided
21 by law. The board of county commissioners, in its discretion, may appoint
22 AUTHORIZE THE APPOINTED COUNTY VETERANS SERVICE OFFICER TO HIRE
23 any county officer, official, or employee as ~~such~~ A county veterans
24 service officer, ~~or as such assistant~~ if qualified to serve ~~as such under~~
25 PURSUANT TO the provisions of section 28-5-802, ~~or as clerical help to~~
26 ~~such county veterans officer~~ at ~~such~~ A RATE OF additional compensation
27 for ~~such~~ additional duties as ~~shall be~~ fixed by the board of county

1 commissioners.

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

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

22 **28-5-802. Qualifications - term of office.** (1) (a) The AN
23 APPOINTED county veterans service officer ~~or assistant~~ at the time of
24 appointment must be a resident of the state, have served in the United
25 States Army, Air Force, Navy, Marine Corps, Space Force, or Coast
26 Guard, or any auxiliary branch thereof, and have been honorably
27 discharged ~~therefrom~~ or be a discharged LGBT veteran, or be an officer

1 released from active duty with the armed forces and placed on inactive
2 duty. ~~therein. Before such appointments are~~ AN APPOINTMENT IS made, the
3 board of county commissioners making the ~~appointments must~~
4 APPOINTMENT MAY seek the advice and counsel of the chief officer of
5 each post of the regularly established and existing veterans organizations
6 of the county ~~wherein~~ WHERE the officer ~~or assistant~~ is to serve as to the
7 qualifications and experience of the applicant for the position. The
8 appointee must be well-qualified based on the appointee's education and
9 experience to perform the duties of A county veterans service officer. The
10 division shall recommend education and experience qualifications for the
11 position of A county veterans service officer.

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

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

1 in the manner specified in this ~~article~~ ARTICLE 5.

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

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

13 **28-5-803. Duties.** ~~It is the duty of the~~ A county veterans service
14 officer ~~and his or her assistant~~ to shall assist any resident of the state of
15 Colorado who is a veteran, or ~~their~~ THE surviving spouse, administrator,
16 executor, guardian, conservator, or heir of any ~~said~~ veteran, or any other
17 person who may have proper claim, by the filing of claims for insurance,
18 pensions, compensation for disability, hospitalization, vocational training,
19 or any other benefits ~~which such~~ THAT THE person may be or may have
20 been entitled to receive under the laws of the United States or the state of
21 Colorado by reason of ~~such~~ service.

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

24 **28-5-804. Cooperation with division of veterans affairs.** ~~The~~ A
25 county veterans service officer shall cooperate with the division of
26 veterans affairs, its officers and employees, and other national, state, or
27 county veterans service officers in the performance of ~~his or her~~ THE

1 OFFICER'S duties. ~~He or she~~ A COUNTY VETERANS SERVICE OFFICER, on
2 request, shall assist the division in every reasonable way, including the
3 rendering of any reports requested by the division and the handling or
4 processing of any veterans cases or other matters according to standard
5 procedures established by the division in furtherance of efficient and
6 prompt service to all veterans in the state of Colorado on a uniform basis.
7 ~~Such~~ AN officer shall always work in the best interest of ~~his or her~~ THE
8 OFFICER'S clients in an attempt to maximize the amount of federal veteran
9 benefits that they receive. Additionally, the county veterans service
10 officer shall undertake programs and engage in activities to reduce state
11 public assistance expenditures as directed by the division.

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

14 **28-5-805. Office space and supplies.** The board of county
15 commissioners shall furnish ~~the~~ A county veterans service officer ~~and~~
16 ~~assistant~~ with office space and necessary supplies.

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