

## CHAPTER 201

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**MILITARY AND VETERANS**

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**HOUSE BILL 02-1284**

BY REPRESENTATIVE(S) Grossman, Sinclair, Alexander, Bacon, Borodkin, Boyd, Cadman, Chavez, Clapp, Cloer, Coleman, Crane, Daniel, Dean, Decker, Fairbank, Fritz, Garcia, Groff, Harvey, Hefley, Hodge, Hoppe, Jahn, Jameson, Johnson, Kester, King, Larson, Lawrence, Lee, Mace, Madden, Marshall, Miller, Mitchell, Paschall, Plant, Ragsdale, Rhodes, Rippy, Romanoff, Saliman, Sanchez, Schultheis, Scott, Smith, Snook, Spence, Spradley, Stafford, Stengel, Tapia, Tochtrop, Veiga, Vigil, Webster, Weddig, White, Williams S., Williams T., Witwer, and Young;  
also SENATOR(S) Isgar, Arnold, Chlouber, Entz, Epps, Fitz-Gerald, Hagedorn, Hanna, Hernandez, Lamborn, Musgrave, Perlmutter, Phillips, Taylor, Teck, and Tupa.

**AN ACT**

**CONCERNING THE AUTHORIZATION OF NEED-BASED GRANTS FOR VETERANS TO DEFRAY THE COSTS OF ATTENDANCE AT THE DEDICATION OF THE WORLD WAR II MEMORIAL IN WASHINGTON, D.C.**

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

**SECTION 1.** Article 10 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**26-10-112. Board of veterans affairs - world war II memorial dedication - fund - grants - repeal.** (1) THERE IS HEREBY ESTABLISHED IN THE STATE TREASURY THE WORLD WAR II MEMORIAL DEDICATION FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE STATE DEPARTMENT IS AUTHORIZED TO ACCEPT GIFTS, GRANTS, CONTRIBUTIONS, AND DONATIONS FOR THE PURPOSES OF THIS SECTION. ANY MONEYS SO RECEIVED SHALL BE TRANSFERRED TO THE STATE TREASURY FOR DEPOSIT IN THE FUND. THE FUND SHALL CONSIST OF ANY MONEYS RECEIVED FROM SUCH GIFTS, DONATIONS, CONTRIBUTIONS, OR GRANTS FROM ANY PERSON OR ENTITY. MONEYS IN THE FUND SHALL BE CONTINUOUSLY APPROPRIATED TO THE BOARD FOR THE PURPOSES SPECIFIED IN THIS SECTION. NO SUCH MONEYS SHALL BE UTILIZED FOR THE PAYMENT OF ADMINISTRATIVE COSTS OF THE STATE DEPARTMENT, BOARD, DIVISION, OR COUNTY VETERANS SERVICE OFFICES. ANY INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND SHALL REMAIN THEREIN AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND. ANY MONEYS REMAINING IN THE FUND UPON

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

THE REPEAL OF THIS SECTION SHALL BE TRANSFERRED TO THE COLORADO STATE VETERANS TRUST FUND CREATED IN SECTION 26-10-111.

(2) (a) ON AND AFTER JULY 1, 2002, THE BOARD IS AUTHORIZED TO AWARD GRANTS TO WORLD WAR II VETERANS FOR THE PURPOSE OF ATTENDING THE DEDICATION OF THE NATIONAL WORLD WAR II MEMORIAL IN WASHINGTON, D.C. TO DEFRAY THE COSTS OF ANY OF THE FOLLOWING, OR ANY COMBINATION OF THE FOLLOWING:

(I) TRANSPORTATION;

(II) HOUSING; OR

(III) MEALS.

(b) THE BOARD SHALL ENSURE THAT PRIORITY IN AWARDING THE GRANTS SHALL BE GIVEN TO THOSE WORLD WAR II VETERANS WHO WOULD NOT BE ABLE TO ATTEND THE DEDICATION WITHOUT THE ASSISTANCE OF A GRANT. THE BOARD SHALL ALSO ENSURE THAT GRANTS ARE DISTRIBUTED EQUITABLY AMONG THE VARIOUS REGIONS OF THE STATE. GRANTS AWARDED PURSUANT TO THIS SUBSECTION (2) SHALL BE PAID OUT OF MONEYS DEPOSITED IN THE WORLD WAR II MEMORIAL DEDICATION FUND CREATED IN SUBSECTION (1) OF THIS SECTION, AND NO GRANT SHALL BE MORE THAN ONE THOUSAND DOLLARS.

(c) COUNTY VETERANS SERVICE OFFICES, ESTABLISHED PURSUANT TO ARTICLE 9 OF THIS TITLE, SHALL RECEIVE APPLICATIONS AND FROM SUCH APPLICATIONS MAKE RECOMMENDATIONS TO THE BOARD FOR GRANTS AWARDED PURSUANT TO THIS SUBSECTION (2). THE BOARD SHALL ESTABLISH GUIDELINES THAT SET FORTH THE APPLICATION CONTENTS AND PROCESS AND THE RECOMMENDATION PROCESS. THE BOARD SHALL ALSO ESTABLISH GUIDELINES THAT REQUIRE COUNTY VETERANS SERVICE OFFICES TO FORWARD RECOMMENDATIONS TO THE BOARD ON A REGIONAL BASIS. THE BOARD AND THE DIVISION SHALL COORDINATE WITH COUNTY VETERAN SERVICE OFFICERS AND COOPERATE WITH STATEWIDE ORGANIZATIONS OF VETERANS IN IMPLEMENTING THE PROVISIONS OF THIS SECTION. THE BOARD SHALL MAKE THE FINAL DETERMINATION OF WHO SHALL RECEIVE GRANTS PURSUANT TO THIS SECTION AND SHALL AWARD THE GRANTS THROUGH COUNTY VETERANS SERVICE OFFICES.

(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2004; EXCEPT THAT, IF HOUSE BILL 02-1413 IS ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY AND BECOMES LAW, THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2002.

**SECTION 2.** 26-10-111 (1) (a), Colorado Revised Statutes, is amended to read:

**26-10-111. Colorado state veterans trust fund - created - report.**

(1) (a) There is hereby created in the state treasury the Colorado state veterans trust fund that shall consist of the moneys appropriated thereto pursuant to subsection (2) of this section. In addition, the state treasurer may credit to the trust fund any public or private gifts, grants, or donations received by the department of human services for implementation of the purposes specified in this subsection (1), AND ANY MONEYS TRANSFERRED TO THE TRUST FUND PURSUANT TO SECTION 26-10-112 (1).

**SECTION 3.** Part 7 of article 5 of title 28, Colorado Revised Statutes, as enacted by House Bill 02-1413, enacted at the Second Regular Session of the Sixty-third General Assembly, is amended BY THE ADDITION OF A NEW SECTION to read:

**28-5-710. Board of veterans affairs - world war II memorial dedication - fund - grants - repeal.** (1) THERE IS HEREBY ESTABLISHED IN THE STATE TREASURY THE WORLD WAR II MEMORIAL DEDICATION FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE DEPARTMENT IS AUTHORIZED TO ACCEPT GIFTS, GRANTS, CONTRIBUTIONS, AND DONATIONS FOR THE PURPOSES OF THIS SECTION. ANY MONEYS SO RECEIVED SHALL BE TRANSFERRED TO THE STATE TREASURY FOR DEPOSIT IN THE FUND. THE FUND SHALL CONSIST OF ANY MONEYS RECEIVED FROM SUCH GIFTS, DONATIONS, CONTRIBUTIONS, OR GRANTS FROM ANY PERSON OR ENTITY AND ANY MONEYS TRANSFERRED FROM THE WORLD WAR II MEMORIAL DEDICATION FUND CREATED IN SECTION 26-10-112 AS SAID SECTION EXISTED PRIOR TO JULY 1, 2002. MONEYS IN THE FUND SHALL BE CONTINUOUSLY APPROPRIATED TO THE BOARD FOR THE PURPOSES SPECIFIED IN THIS SECTION. NO SUCH MONEYS SHALL BE UTILIZED FOR THE PAYMENT OF ADMINISTRATIVE COSTS OF THE DEPARTMENT, BOARD, DIVISION, OR COUNTY VETERANS SERVICE OFFICES. ANY INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND SHALL REMAIN THEREIN AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND. ANY MONEYS REMAINING IN THE FUND UPON THE REPEAL OF THIS SECTION SHALL BE TRANSFERRED TO THE COLORADO STATE VETERANS TRUST FUND CREATED IN SECTION 28-5-709.

(2) (a) ON AND AFTER JULY 1, 2002, THE BOARD IS AUTHORIZED TO AWARD GRANTS TO WORLD WAR II VETERANS FOR THE PURPOSE OF ATTENDING THE DEDICATION OF THE NATIONAL WORLD WAR II MEMORIAL IN WASHINGTON, D.C. TO DEFRAY THE COSTS OF ANY OF THE FOLLOWING, OR ANY COMBINATION OF THE FOLLOWING:

- (I) TRANSPORTATION;
- (II) HOUSING; OR
- (III) MEALS.

(b) THE BOARD SHALL ENSURE THAT PRIORITY IN AWARDING THE GRANTS SHALL BE GIVEN TO THOSE WORLD WAR II VETERANS WHO WOULD NOT BE ABLE TO ATTEND THE DEDICATION WITHOUT THE ASSISTANCE OF A GRANT. THE BOARD SHALL ALSO ENSURE THAT GRANTS ARE DISTRIBUTED EQUITABLY AMONG THE VARIOUS REGIONS OF THE STATE. GRANTS AWARDED PURSUANT TO THIS SUBSECTION (2) SHALL BE PAID OUT OF MONEYS DEPOSITED IN THE WORLD WAR II MEMORIAL DEDICATION FUND CREATED IN SUBSECTION (1) OF THIS SECTION, AND NO GRANT SHALL BE MORE THAN ONE THOUSAND DOLLARS.

(c) COUNTY VETERANS SERVICE OFFICES, ESTABLISHED PURSUANT TO PART 8 OF THIS ARTICLE 5, SHALL RECEIVE APPLICATIONS AND FROM SUCH APPLICATIONS MAKE RECOMMENDATIONS TO THE BOARD FOR GRANTS AWARDED PURSUANT TO THIS SUBSECTION (2). THE BOARD SHALL ESTABLISH GUIDELINES THAT SET FORTH THE

APPLICATION CONTENTS AND PROCESS AND THE RECOMMENDATION PROCESS. THE BOARD SHALL ALSO ESTABLISH GUIDELINES THAT REQUIRE COUNTY VETERANS SERVICE OFFICES TO FORWARD RECOMMENDATIONS TO THE BOARD ON A REGIONAL BASIS. THE BOARD AND THE DIVISION SHALL COORDINATE WITH COUNTY VETERAN SERVICE OFFICERS AND COOPERATE WITH STATEWIDE ORGANIZATIONS OF VETERANS IN IMPLEMENTING THE PROVISIONS OF THIS SECTION. THE BOARD SHALL MAKE THE FINAL DETERMINATION OF WHO SHALL RECEIVE GRANTS PURSUANT TO THIS SECTION AND SHALL AWARD THE GRANTS THROUGH COUNTY VETERANS SERVICE OFFICES.

(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2004.

**SECTION 4.** 28-5-709 (1) (a), Colorado Revised Statutes, as enacted by House Bill 02-1413, enacted at the Second Regular Session of the Sixty-third General Assembly, is amended to read:

**28-5-709. Colorado state veterans trust fund - created - report.** (1) (a) There is hereby created in the state treasury the Colorado state veterans trust fund that shall consist of the moneys appropriated thereto pursuant to subsection (2) of this section. In addition, the state treasurer may credit to the trust fund any public or private gifts, grants, or donations received prior to July 1, 2002, by the department of human services or, on or after July 1, 2002, by the department of military and veterans affairs for implementation of the purposes specified in this subsection (1), AND ANY MONEYS TRANSFERRED TO THE TRUST FUND PURSUANT TO SECTION 28-5-710 (1).

**SECTION 5. Effective date.** This act shall take effect upon passage; except that sections 3 and 4 of this act shall take effect July 1, 2002, only if House Bill 02-1413 is enacted at the Second Regular Session of the Sixty-third General Assembly and becomes law.

**SECTION 6. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 29, 2002