



Military and Veterans

During the 2017 legislative session, the General Assembly considered measures related to military and veterans boards and commissions, the treatment of veterans and members of the military in the criminal justice and higher education systems, and state benefits for veterans. The General Assembly also considered legislation to encourage cooperation between the state and the military and to advocate for certain federal military policies. Other issues relevant to veterans and members of the military were also considered.

Boards and Commissions

Through the regular sunset review process, the General Assembly adopted bills to retain several boards that address veterans' issues. *Senate Bill 17-212* continues the Colorado Board of Veterans Affairs, *Senate Bill 17-217* continues the Colorado Board of Commissioners of Veterans Community Living Centers, and *Senate Bill 17-219* continues the local advisory boards for veterans community living centers. All of these boards are continued indefinitely. *House Bill 17-1255* also continued indefinitely a requirement that the Board of Veterans Affairs report annually to the State, Veterans, and Military Affairs Committees and the Governor on the status of all programs providing services to the state's veterans.

Senate Bill 17-122 repeals the Fallen Heroes Memorial Commission and the Fallen Heroes Memorials Construction Fund. This commission was created in 2007 to erect a memorial or memorials near the Colorado

Veterans Monument in Lincoln Park (part of the State Capitol Grounds) to commemorate the lives of Coloradans who died during specific military conflicts. The memorial has been designed but not constructed. The remaining duties of the commission will be performed by the Capitol Building Advisory Committee in conjunction with the Department of Personnel and Administration and the Fallen Heroes Memorial Fund, Inc., which is a 501(c)(3) organization established to raise money for construction of the monument.

Criminal Justice

House Bill 17-1056 adds charitable trusts, civil leagues or organizations, and veterans' service organizations to the list of entities that may accept court assignments for individuals performing community or useful public service assignments. Under the bill, the court or other entity making the assignment retains the discretion to determine which organizations may be included in its program.

Higher Education

House Bill 17-1004 requires state institutions of higher education to adopt policies for assessing and awarding academic credit for college-level learning acquired while in the military. Credits granted under the bill must be free of tuition, although institutions of higher education may charge fees for administering assessments. The policies adopted by the institutions must:

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- use the American Council on Education's (ACE) recommendations, among other sources, to assign credit for military experience;
- provide specific guidance to active military members and veterans in selecting a program of study and optimizing use of the military credit in the student's chosen degree or certificate; and
- beginning June 1, 2018, accept transfer credit from military credit awarded by other state institutions for guaranteed-transfer courses, unless another policy is adopted based on ACE recommendations.

Senate Bill 17-174 allows the Joint Budget Committee to make appropriations directly from the General Fund to the Department of Military and Veterans Affairs (DMVA) for the Colorado National Guard tuition reimbursement program. Previously, the program was funded in part by reappropriated funds from the Colorado Commission of Higher Education.

Federal Policy

The Senate adopted two memorials encouraging the federal government to adopt certain military and veterans policies. *Senate Memorial 17-001* urges that certain misdemeanor convictions be excused in evaluating whether to deport an honorably discharged veteran who is a legal resident of the United States. In particular, the memorial requests such consideration for honorably discharged veterans who have participated in restorative justice programs. *Senate Memorial 17-002* urges the U.S. Congress to pass reforms to increase accountability of the U.S. Department of Veterans Affairs in providing health care to veterans.

State-Military Cooperation

Two bills addressed the state's role in working with the military when issues arise on or around the state's many military installations. A third

bill concerned the state's participation in commissioning ceremonies for the new naval vessel USS Colorado.

Senate Bill 17-028 requires the Colorado Department of Human Services (CDHS) to work with military installations on child abuse or neglect investigations involving military personnel. Under the bill, CDHS must collect information concerning the military affiliation of any person who has custody or control of a child who is the subject of an abuse or neglect investigation. CDHS must also provide the command authority of a military installation with notice of, and information about, reports of known or suspected child abuse that are assigned for assessment when the reports involve a service member assigned to that military installation, or a spouse or other family member who resides with the service member.

House Bill 17-1054 directs the Department of Local Affairs to support cooperative intergovernmental agreements between military installations and local governments.

Senate Bill 17-183 requires the DMVA to make grants in support of the USS Colorado, a nuclear submarine commissioned in 2017, and appropriates \$100,000 to the DMVA. The grants will pay for expenses related to the commissioning, promoting the USS Colorado within the state, and supporting the crew of the USS Colorado.

Benefits for Veterans and Active Duty Military Members

The General Assembly considered, but did not pass, several measures that would provide additional benefits to veterans and active duty military members in the state. One adopted bill limits some eligibility for a military special license plate.

House Bill 17-1149 modifies the qualifications for obtaining a U.S. Army Special Forces license plate. Specifically, it removes soldiers awarded an "S suffix" on their orders or DD214 (discharge) form from the list of those qualified to obtain the license plate. The S suffix no

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longer identifies qualified special forces soldiers under the law and is instead used for those in the special forces operational community who work in medical, logistical, and communications support.

Senate Bill 17-075, as introduced, would have allowed all military retirement benefits received by individuals of all ages to be deducted from their individual taxable income beginning in tax year 2017. The bill was later amended to allow veterans under the age of 55 to claim an income tax deduction of up to \$20,000 in military retirement benefits, phased in over three years. Under current law, qualifying taxpayers aged 55 to 64 may deduct up to \$20,000 in retirement income from their taxable income each year, and qualifying taxpayers aged 65 and older may deduct up to \$24,000 each year. The deduction is for both military and non-military sources of income, including Social Security, pensions, and 401(k) retirement plan distributions. SB 17-075 was deemed lost in the House.

House Bill 17-1374 would have required the Colorado Department of Natural Resources to offer free hunting licenses for certain veterans and members of the military. Specifically, the person would have had to be a resident of Colorado for at least two years, have served in the military for at least two years, and otherwise qualify for a hunting license. Active duty military members and veterans separated under honorable conditions would have been eligible. The licenses offered could be lifetime resident combination small game hunting and fishing licenses, or any big game license for which the person was qualified. The bill was deemed lost in the House.

Senate Bill 17-006, which did not pass, would have lowered the age requirement to obtain a concealed carry permit from 21 to 18 years of age, provided the individual was on active duty in, or had been honorably discharged from, any branch or reserve branch of the U.S. military. This bill was postponed indefinitely by the House State, Veterans, and Military Affairs Committee.

Senate Bill 17-054, which did not pass, would have revised the process for how income tax checkoffs appear on state tax forms. According to research by Legislative Council Staff, the Military Family Relief Fund is consistently one of the most popular tax checkoffs in terms of donations received. The bill would have created a rotation schedule so that each tax checkoff would be allowed to appear on the income tax form for five consecutive years and then removed for a minimum of five consecutive years. To add the tax checkoff back to the form after the five-year hiatus, the General Assembly would have had to enact legislation. Under current law, 20 checkoff programs can appear on the individual income tax form each year, and all tax checkoffs contain a sunset date and must meet a yearly minimum contribution of \$50,000 by the third year of the checkoff and annually after that. Checkoffs that do not meet the minimum are removed, allowing new checkoffs to appear on the form. SB 17-054 was postponed indefinitely by the Senate Finance Committee.