

[HB 1065 Veteran's Hiring Preferences](#)

Thursday, April 18, 2021

House State, Civic, Military, & Veterans Affairs

Testimony from Kelly Brough, President and CEO, Denver Metro Chamber of Commerce

Thank you, Mister Chair and members of the committee, for the opportunity to provide this written testimony today. My name is Kelly Brough and I am the President and CEO of the Denver Metro Chamber of Commerce. I am here today on behalf of the Chamber, our 3,000 members and their 400,000 employees, to express our support of House Bill 1065.

At the Chamber, we are committed to supporting Colorado's 400,000-plus veterans as they transition into the civilian workforce. Veterans have transferable knowledge, leadership skills and work ethic that make them valuable employees.

We partner with the University of Colorado Denver on the Boots to Suits program to pair veteran and active military students with business and public service professionals who provide transition and support services so these students may become leaders in our community. Our board has also adopted a resolution that promotes hiring veterans.

Through our work, we've had the opportunity to see first-hand how veterans make incredible employees. This bill clarifies that it is not discriminatory or unfair labor practice for a private employer to give hiring preference to a veteran or their spouse in specific circumstances as long as they are as qualified or more as other applicants for a position. This supports our troops as they transition into the workforce. We urge you to vote yes on House Bill 1065.



POLICY STATEMENT

Over 100,000 LGBT Veterans have been involuntarily discharged from the United States armed forces due to their sexual orientation or gender identity. These individuals face significant health disparities and may be ineligible for veterans' benefits due to their less than honorably discharged designation. Envision: You supports LLS No. 21 02-44 to establish the "discharged LGBT veteran" status in Colorado and allow LGBT veterans access to state veterans' benefits that can greatly enhance their overall health and well-being.

LLS No. 21 02-44 CONCERNING THE ELIGIBILITY OF DISCHARGED LGBT VETERANS FOR SPECIFIED STATE BENEFITS

The purpose of this bill is to establish a "discharged LGBT veteran" status so that LGBT individuals who were other than honorably discharged from the US armed forces due to their sexual orientation or gender identity can access Colorado state veterans' programs and benefits. Obtaining "discharged LGBT veteran" status from the board of veteran's affairs will not change the individual's official discharge paperwork, nor will the altered status affect federal program or benefit eligibility. Individuals dishonorably discharged from the military will not qualify for "discharged LGBT veteran" status.

Why it Matters

An estimated 114,000 LGBT veterans were involuntarily discharged from military service due to their sexual orientation or gender identity from the end of World War II to the repeal of the "Don't Ask, Don't Tell" policy in 2011. These individuals face significant stigma and potential exclusion from veterans' healthcare, education benefits, disability benefits, and employment opportunities for leaving the armed services with an "other than honorably discharged" designation.

The Department of Veteran Affairs reports that LGBT veterans experience lower overall health outcomes, including increased rates of substance use, mental illness, and trauma. Veterans' benefits regarding healthcare, disability, education, and employment can support the overall health and wellness of LGBT veterans and ultimately contribute to a reduction in health disparities for this historically marginalized population.

It is imperative that LGBT veterans who were forcibly separated from the military have access to the same benefits as individuals who were honorably discharged. Envision: You emphatically supports the establishment of a "discharged LGBT veteran" status in Colorado, and further recommends that intentional efforts are undertaken to notify the LGBTQ+ community of the potential to reclaim veteran's benefits if and when the opportunity is made available.

Envision:You

The Envision:You mission is to support, educate and empower Colorado's LGBTQ+ (lesbian, gay, bisexual, transgender and queer/questioning) community living with a mental health or substance use disorder. Furthermore, we work to inform the public—including elected officials and policymakers—about the disparities in care facing LGBTQ+ people. Finally, we support partners and allies to enhance training, research, education, and resources to assist LGBTQ+ people. To learn more please visit: www.envision-you.org.



FACT SHEET- SB 21-026 RESTORATION OF HONOR ACT

BOTTOM LINE: This bill provides some state veterans benefits to those who served in the military but were discharged in a manner other than honorable (not including dishonorable) due to their sexual orientation or gender identity that limits their access to state veterans benefits.

What does this bill do?

This bill establishes a “discharged LGBT veteran” status for the purposes of Colorado law. It creates a process for those prior service members who were discharged as described above to have their discharge reviewed by the Colorado Board of Veterans Affairs for the purposes of being awarded discharged LGBT veteran status in the State of Colorado. Thereby allowing those veterans access to some state veterans benefits. Those impacted by this bill will have likely have been discharged before December 1993, the era of “Don’t Ask, Don’t Tell.”

What does this bill NOT do?

This bill does not provide a discharged LGBT veteran with access to federal benefits, nor does it provide access to state benefits that are tied to a federal VA disability rating percentage. This bill does not change a veteran’s federal discharge status, nor will the Board of Veterans Affairs consider or have the ability to change the status of those veterans who were discharged dishonorably.

What benefits will a discharged LGBT veteran gain access to?

- May be awarded a high school diploma (CRS 22-32-132)
- Can receive a Teach Colorado grant (CRS 23-3.3-902)
- Eligible for in-state tuition (CRS 23-7.4-203)
- May be buried at the Homelake military veterans cemetery (CRS 26-12-205)
- May be interred by a county (CRS 28-5-502)
- May be buried in a state purchased veterans subdivision in a cemetery (CRS 28-5-505)
- May be appointed as a county veterans service officer (CRS 28-5-802)
- Must receive preference on the municipal firefighters’ civil service exam (CRS 31-30-210)
- May purchase up to five years of military service credit in a municipal fire department or police department pension plan (CRS 31-31-410)
- May test out of a hunter safety course (CRS 33-6-107)
- Access to some military/veterans license plates (CRS 42-3-213)

Is there a fiscal note to this bill?

The fiscal impact will be released when the bill is public, but based on what we know at this point, the fiscal impact would be indeterminate, and based on how many individuals apply and which benefits are sought.

The Denver Metro Chamber of Commerce is supportive of the privatization of Pinnacol. We recognize that privatization has resulted in similar insurers in other states being able to unlock opportunities to access markets and expand products better serving both the company and the policy holders. That said, we do not support this specific bill as we disagree with the payments required from Pinnacol and its policy holders.

Laura Rizzo