

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 24-0533.01 Jacob Baus x2173

SENATE BILL 24-004

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State, Veterans, & Military Affairs

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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.

HOUSE
3rd Reading Unamended
March 4, 2024

HOUSE
Amended 2nd Reading
March 1, 2024

SENATE
3rd Reading Unamended
January 31, 2024

SENATE
Amended 2nd Reading
January 30, 2024

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.

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

SECTION 1. In Colorado Revised Statutes, 28-5-705, **amend** (1)(a)(I) as follows:

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

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

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

28-5-707. Assistance to county veterans service officers - repeal. (1) (a) The division shall provide satisfactory ~~supervision~~ MONITORING, direction, and assistance to all county veterans service officers and shall provide ~~such services and facilities~~ to the county veterans service officers as ~~may be determined by~~ the division ~~to be~~ DETERMINES necessary. Out of any ~~moneys~~ MONEY appropriated by the general assembly to the division for support to county veterans service officers, the division ~~is authorized to~~ SHALL issue vouchers for the ~~semiannual~~ payment to the general fund of ~~each~~ A county ELIGIBLE TO

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

12 (a.5) (I) ON OR BEFORE AUGUST 30, 2024, THE DIVISION SHALL
13 CONVENE A WORKING GROUP FOR THE PURPOSE OF CONSULTING WITH
14 COUNTY COMMISSIONERS REGARDING THE DEVELOPMENT OF A METHOD
15 FOR DISTRIBUTING STATE-FUNDED PAYMENTS FOR COUNTY VETERANS
16 SERVICE OFFICERS. THE WORKING GROUP MUST INCLUDE THREE COUNTY
17 COMMISSIONERS, RECOMMENDED FOR APPOINTMENT TO THE WORKING
18 GROUP BY A STATEWIDE ASSOCIATION OF COUNTY COMMISSIONERS.

19 (II) THE DIVISION MUST FINALIZE A METHOD FOR DISTRIBUTING
20 STATE-FUNDED PAYMENTS FOR COUNTY VETERANS SERVICE OFFICERS BY
21 NO LATER THAN DECEMBER 31, 2024.

22 (III) THIS SUBSECTION (1)(a.5) IS REPEALED, EFFECTIVE JULY 1,
23 2026.

24 (b) If adjacent counties jointly establish a veterans service office
25 for the counties pursuant to section 28-5-801 (2), the division may issue
26 a voucher to the general fund of the county ~~containing~~ THAT EMPLOYS the
27 veterans service ~~office~~ OFFICERS in an amount equal to the total of the

1 ~~semiannual~~ payments that would have been provided to each of ~~such~~ THE
2 counties ~~under paragraph (a) of this subsection (1)~~ PURSUANT TO
3 SUBSECTION (1)(a) OF THIS SECTION.

4 (2) ~~Such semiannual payments shall be made only on application~~
5 ~~by such county commissioners to the division, which application shall~~
6 ~~state and certify the amount such county commissioners have authorized~~
7 ~~to be disbursed for such purposes out of other moneys in such county~~
8 ~~general fund for the period covered by the application.~~ THE DIVISION
9 SHALL MAKE THE PAYMENTS DESCRIBED IN SUBSECTION (1) OF THIS
10 SECTION TO THE COUNTY COMMISSIONERS UPON APPLICATION BY THE
11 COUNTY COMMISSIONERS. THE COUNTY COMMISSIONERS MUST SUBMIT
12 THE APPLICATION FOR PAYMENT AT THE TIME AND IN THE FORM AND
13 MANNER PRESCRIBED BY THE DIVISION.

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

16 **28-5-801. Establishment of veterans service offices.** (1) The
17 board of county commissioners of each county in this state shall establish
18 a county veterans service office and shall appoint a county veterans
19 service officer for ~~such~~ THE county and such TO FURTHER PROMPT AND
20 EFFICIENT SERVICE TO ALL VETERANS IN THE STATE OF COLORADO ON A
21 UNIFORM BASIS. IF THE BOARD OF COUNTY COMMISSIONERS DETERMINES
22 THAT ADDITIONAL COUNTY VETERANS SERVICE OFFICERS ARE NECESSARY,
23 THE BOARD MAY AUTHORIZE THE APPOINTED COUNTY VETERANS SERVICE
24 OFFICER TO HIRE ADDITIONAL COUNTY VETERANS SERVICE OFFICERS. A
25 board of county commissioners may also appoint AUTHORIZE THE
26 APPOINTED COUNTY VETERANS SERVICE OFFICER TO HIRE any ~~assistant and~~
27 ~~such clerical help~~ STAFF as ~~may be deemed~~ THE BOARD DETERMINES

1 necessary ~~each at such~~ AT A RATE OF compensation as ~~shall be~~ fixed by
2 ~~such~~ THE board, together with the necessary and actual traveling and other
3 expenses incurred in their work as ~~shall be~~ approved by ~~such~~ THE board
4 of county commissioners and ~~such~~ other expenses as ~~such~~ THE board ~~may~~
5 ~~deem~~ DEEMS necessary for the proper operation of ~~such~~ THE office,
6 payable monthly out of the county general fund in the manner provided
7 by law. The board of county commissioners, in its discretion, may appoint
8 AUTHORIZE THE APPOINTED COUNTY VETERANS SERVICE OFFICER TO HIRE
9 any county officer, official, or employee as ~~such~~ A county veterans
10 service officer, ~~or as such assistant~~ if qualified to serve ~~as such~~ under
11 PURSUANT TO the provisions of section 28-5-802, ~~or as clerical help to~~
12 ~~such county veterans officer~~ at ~~such~~ A RATE OF additional compensation
13 for ~~such~~ additional duties as ~~shall be~~ fixed by the board of county
14 commissioners.

15 (2) The boards of county commissioners of adjacent counties may
16 act jointly in establishing a veterans service office for such counties and
17 in appointing a veterans service officer, AUTHORIZING THE HIRING OF
18 ADDITIONAL COUNTY VETERANS SERVICE OFFICERS, and ~~an assistant and~~
19 ~~such necessary clerical help~~ AUTHORIZING THE HIRING OF STAFF as ~~may~~
20 ~~be deemed~~ DETERMINED necessary to operate ~~such~~ AN office for ~~such~~ THE
21 counties, at ~~such~~ A RATE OF compensation as ~~may be~~ fixed by the ~~joint~~
22 ~~action of the~~ boards of county commissioners joining in the appointment
23 OR AUTHORIZED HIRE of ~~such~~ AN officer ~~and assistant and clerical help~~ OR
24 AUTHORIZED HIRE OF STAFF, together with the actual and necessary
25 expenses incurred in ~~the conduct of~~ their work, as ~~shall be~~ approved by
26 ~~such~~ THE boards of county commissioners. The salaries, ~~and~~ expenses,
27 and all other jointly approved expenses necessary for the proper operation

1 of ~~such~~ THE office ~~shall~~ MUST be paid ~~monthly~~ by the boards of county
2 commissioners out of their respective county general funds in the manner
3 provided by law, each county bearing its share ~~thereof~~ in the proportion
4 that the population of each county bears to the total population of the
5 counties combining to establish ~~such~~ THE office.

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

8 **28-5-802. Qualifications - term of office.** (1) (a) The AN
9 APPOINTED county veterans service officer ~~or assistant~~ at the time of
10 appointment must be a resident of the state, have served in the United
11 States Army, Air Force, Navy, Marine Corps, Space Force, or Coast
12 Guard, or any auxiliary branch thereof, and have been honorably
13 discharged ~~therefrom~~ or be a discharged LGBT veteran, or be an officer
14 released from active duty with the armed forces and placed on inactive
15 duty. ~~therein.~~ Before ~~such appointments are~~ AN APPOINTMENT IS made, the
16 board of county commissioners making the appointments must
17 APPOINTMENT MAY seek the advice and counsel of the chief officer of
18 each post of the regularly established and existing veterans organizations
19 of the county ~~wherein~~ WHERE the officer ~~or assistant~~ is to serve as to the
20 qualifications and experience of the applicant for the position. The
21 appointee must be well-qualified based on the appointee's education and
22 experience to perform the duties of A county veterans service officer. The
23 division shall recommend education and experience qualifications for the
24 position of A county veterans service officer.

25 (b) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION, A
26 COUNTY VETERANS SERVICE OFFICER WHO IS AUTHORIZED TO BE HIRED BY
27 THE APPOINTED COUNTY VETERANS SERVICE OFFICER IS NOT REQUIRED TO

1 HAVE SERVED IN THE UNITED STATES ARMY, AIR FORCE, NAVY, MARINE
2 CORPS, SPACE FORCE, OR COAST GUARD, OR ANY AUXILIARY BRANCH
3 THEREOF, AND IS NOT REQUIRED TO HAVE BEEN HONORABLY DISCHARGED
4 OR A DISCHARGED LGBT VETERAN, OR BE AN OFFICER RELEASED FROM
5 ACTIVE DUTY WITH THE ARMED FORCES AND PLACED ON INACTIVE DUTY.

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

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

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

26 **28-5-803. Duties.** ~~It is the duty of the~~ A county veterans service
27 officer ~~and his or her assistant~~ to shall assist any resident of the state of

1 Colorado who is a veteran, or ~~their~~ THE surviving spouse, administrator,
2 executor, guardian, conservator, or heir of any ~~said~~ veteran, or any other
3 person who may have proper claim, by the filing of claims for insurance,
4 pensions, compensation for disability, hospitalization, vocational training,
5 or any other benefits ~~which such~~ THAT THE person may be or may have
6 been entitled to receive under the laws of the United States or the state of
7 Colorado by reason of ~~such~~ service.

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

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

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

27 **28-5-805. Office space and supplies.** The board of county

1 commissioners shall furnish ~~the~~ A county veterans service officer ~~and~~
2 ~~assistant~~ with office space and necessary supplies.

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