**South Carolina General Assembly**

122nd Session, 2017-2018

**H. 3469**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. J.E. Smith

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Introduced in the House on January 12, 2017

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: Veterans' Affairs

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/12/2017 House Introduced and read first time ([House Journal‑page 429](file:///h:\hj\20170112.docx))

1/12/2017 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 429](file:///h:\hj\20170112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3469&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/12/2017](file:///p:\pprever\2017-18\3469_20170112.docx)

**A** **BILL**

TO AMEND SECTION 25‑11‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIRECTOR OF THE DIVISION OF VETERANS’ AFFAIRS, SO AS TO PROVIDE THAT THE DIRECTOR OF THE DIVISION OF VETERANS’ AFFAIRS MUST BE A VETERAN; AND TO AMEND SECTION 25‑11‑40, RELATING TO COUNTY VETERANS’ AFFAIRS OFFICERS, SO AS TO REVISE THE DEFINITION OF “VETERAN” AND MINIMUM ACTIVE SERVICE REQUIREMENTS FOR APPOINTMENT TO COUNTY VETERANS’ AFFAIRS OFFICER.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 25‑11‑20 of the 1976 Code is amended to read:

“Section 25‑11‑20. For the purpose of carrying on this work the Governor shall appoint a Director of the Division of Veterans’ Affairs, who is charged with the duty of assisting all ex‑servicemen, regardless of the wars in which their service may have been rendered, in filing, presenting, and prosecuting to final determination all claims ~~which~~ that they have for money compensation, hospitalization, training, and insurance benefits under the terms of federal legislation. The Director of the Division of Veterans’ Affairs must be a ~~person~~ veteran versed in federal legislation relating to these matters and the rules, regulations, and practice of the Veterans Administration as created by Congress and must be appointed by the Governor. Before the appointment, the Governor shall receive a recommendation from the:

(1) ~~the~~ executive committee of the American Legion, Department of South Carolina~~,~~;

(2) ~~the~~ Veterans of Foreign Wars of the United States, Department of South Carolina~~,~~; and

(3) ~~the~~ Disabled American Veterans.

The Governor is not required to appoint the ~~person~~ veteran recommended and he is subject to removal by the Governor pursuant to the provisions of Section 1‑3‑240(B).”

SECTION 2. Section 25‑11‑40 of the 1976 Code is amended to read:

“Section 25‑11‑40. (A) For ~~the purpose~~ purposes of this section, ‘veteran’ means a person who served ~~on active duty for a period of more than one hundred eighty days and was discharged or released from such active duty with an honorable discharge or, if one hundred eighty days or less, was discharged or released from service active duty because of service‑connected disability~~ in the active military, naval, or air service, and who was discharged or released from that service under conditions other than dishonorable.

(B) Subject to the recommendation of a majority of the senators representing the county and a majority of the house members representing the county, the Director of the Division of ~~Veterans~~ Veterans’ Affairs shall appoint a county ~~veterans~~ veterans’ affairs officer for each county in the State, whose term of office shall begin July first of each odd‑numbered year and shall continue for a term of two years and until a successor ~~shall be~~ is appointed. A county ~~veterans~~ veterans’ affairs officer must be a qualified veteran who served on active duty for a period of more than ~~one hundred eighty days~~ twenty‑four months and was discharged or released from ~~such~~ active duty with an honorable discharge or, if ~~one hundred eighty days~~ twenty‑four months or less, was discharged or released from ~~such~~ active duty because of a service‑connected disability~~; otherwise, a county veterans affairs officer may be a qualified nonveteran, if any veteran being considered for the post is not as qualified as a nonveteran being considered for the post~~. Qualifications ~~shall~~ must be determined by the county legislative delegation upon a majority vote of the senators representing the county and a majority of the house members representing the county. A county ~~veterans~~ veterans’ affairs officer is subject to removal for cause at any time by a majority of the senators representing the county and a majority of the house members representing the county.

(C) All county ~~veterans~~ veterans’ affairs officers must successfully complete a comprehensive course of training and be issued accreditation within one year following initial appointment, either through the Division of ~~Veterans~~ Veterans’ Affairs or through an accredited national veterans service organization. A training council from the South Carolina Association of County ~~Veterans~~ Veterans’ Affairs Officers, in conjunction with the Division of ~~Veterans~~ Veterans’ Affairs or through an accredited national veterans service organization, shall develop the training criteria. Training and accreditation must be provided by the Division of ~~Veterans~~ Veterans’ Affairs or through an accredited national veterans service organization. A county ~~veterans~~ veterans’ affairs officer who does not complete the required training and receives accreditation within the first year following appointment is ineligible for reappointment by the county legislative delegation. Additionally, in order to maintain accreditation, refresher training is required yearly.

(D)(1) In Berkeley County, appointments made pursuant to this section are governed by the provisions of Act 159 of 1995.

(2) In Dorchester County, appointments made pursuant to this section are governed by the provisions of Act 512 of 1996.

(3) In Georgetown County, appointments made pursuant to this section are governed by the provisions of Act 515 of 1996.”

SECTION 3. This act takes effect upon approval by the Governor.

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