**A** **BILL**

TO AMEND SECTION 25‑11‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY VETERANS AFFAIRS OFFICERS, SO AS TO PROVIDE THAT A COUNTY VETERANS AFFAIRS OFFICER SERVES AT THE WILL OF THE COUNTY LEGISLATIVE DELEGATION, AND TO PROVIDE THAT BY RESOLUTION OF THE COUNTY LEGISLATIVE DELEGATION, THE AUTHORITY TO RECOMMEND THE APPOINTMENT OR REMOVAL OF THESE OFFICERS MAY BE DEVOLVED ON THE GOVERNING BODY OF THE COUNTY AND TO PROVIDE THOSE CIRCUMSTANCES UNDER WHICH THIS DEVOLUTION MAY BE REVERSED.

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

SECTION 1. Section25‑11‑40 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.

(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 Affairs shall appoint a county veterans affairs officer for each county in the State, whose term of office ~~shall begin~~begins July first of each odd‑numbered year and ~~shall continue~~continues for a term of two years and until a successor ~~shall be~~is appointed. A county veterans affairs officer must be a qualified veteran 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 ~~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 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 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 Affairs or through an accredited national veterans service organization. A training council from the South Carolina Association of County Veterans Affairs Officers, in conjunction with the Division of 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 Affairs or through an accredited national veterans service organization. A county 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.

(E) Notwithstanding the provisions of subsection (B), the county legislative delegation may by resolution devolve the authority of the delegation under subsection (B) to the governing body of the county and, upon such devolution, a county veterans affairs officer recommended for appointment by the governing body of the county is considered a county official for all purposes, including the applicability of county human resources policies to the officer and his employees. The devolution of the delegation’s authority to the governing body of the county does not affect the receipt of state funds otherwise due county veterans affairs officers for compensation and administrative support. The county legislative delegation may by resolution reassume its authority under subsection (B) but only on the expiration of the term or a vacancy otherwise occurring with respect to the county veterans affairs officer.”

SECTION 2. This act takes effect upon approval by the Governor.

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