HOUSE AMENDMENTS AMENDED - RETURNED TO HOUSE

May 5, 2022

**S. 968**

Introduced by Senators Alexander, Climer and Kimbrell

S. Printed 5/5/22--S.

Read the first time January 12, 2022.

**A** **BILL**

TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS’ AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE “VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND” TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

Amend Title To Conform

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

SECTION 1. Article 1, Chapter 11, Title 25 of the 1976 Code is amended by adding:

“Section 25-11-85. (A)(1) There is established and created in the State Treasury a fund separate and distinct from the general fund of the State and all other funds entitled the ‘Veterans Service Organization Burial Honor Guard Support Fund’. The fund’s exclusive purpose is to help offset the costs paid by South Carolina chapters of congressionally chartered veterans service organizations that provide well‑equipped and properly trained honor guard burial details at the funerals of qualifying South Carolina veterans.

(2) Revenues of the fund may include gifts, grants, federal funds, or donations made to the fund, regardless of source, and amounts as may be appropriated to the fund by the General Assembly. Money deposited in the fund must be disbursed by the State Treasurer upon the warrant of the Secretary of the Department of Veterans’ Affairs or his representative. Earnings on this fund must be credited to it, and a balance in the fund at the end of a fiscal year does not lapse to the general fund of the State, but is instead carried forward in the fund to the succeeding fiscal year to be used for the same purposes. The fund is not subject to midyear budget reductions, and disbursements awarded may not at any time exceed the fund balance at the time of the grant.

(B) Upon request by a South Carolina chapter of a congressionally chartered veterans service organization that provided an honor guard burial detail at the funeral of a qualifying South Carolina veteran, the Secretary of the Department of Veterans’ Affairs or his representative may authorize a disbursement from the fund, not exceeding the per funeral cap established annually by the secretary, for the purposes described in this section. Pursuant to his authority provided for in Section 25‑11‑20(D), the Secretary of the Department of Veterans’ Affairs may promulgate regulations necessary to implement the provisions of this section.

(C) As used in this section:

(1) ‘Veteran’ means a person who has:

(a) served on active duty in the uniformed military services of the United States;

(b) served on active duty in the National Guard or any organized state militia; or

(c) served in the reserve components of the uniformed military services of the United States on active duty; and

(d) was released from this service other than by dishonorable discharge.

(2) ‘Veterans service organization’ means an association, corporation, or other entity that qualifies under Internal Revenue Code Section 501(c)(3) or Section 501(c)(19) as a tax exempt organization, a federally chartered veterans service corporation, or a veterans’ affairs office or agency established by state law. This term also includes a member or employee of any such entity.”

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

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