

By: Senator(s) Seymour

To: Judiciary, Division A

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2197

1 AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE COUNTY VETERAN SERVICE OFFICERS TO ACT FOR A VETERAN FOR  
3 CERTAIN SERVICES UNDER A WRITTEN POWER OF ATTORNEY AUTHORIZED BY  
4 THE VETERAN FOR THE PURPOSE OF ASSISTING WITH CLAIMS, BENEFITS,  
5 AND APPEALS IN AN ADMINISTRATIVE HEARING BEFORE THE UNITED STATES  
6 DEPARTMENT OF VETERANS AFFAIRS; TO PROVIDE COUNTY VETERAN SERVICE  
7 OFFICERS WITH LEGAL IMMUNITY ONLY FOR SUCH ACTIONS IN CASES OF  
8 ABUSE, FRAUD OR BREACH OF FIDUCIARY DUTY; AND FOR RELATED  
9 PURPOSES.

10 **SECTION 1.** Section 35-3-21, Mississippi Code of 1972, is  
11 amended as follows:

12 35-3-21. In order to maintain offices and pay personnel for  
13 the purpose of assisting all residents of the State of Mississippi  
14 who served in the military or naval forces of the United States  
15 during any war, their relatives, beneficiaries or dependents, to  
16 receive from the United States any and all compensation,  
17 hospitalization, insurance or other aid or benefits to which they  
18 may be entitled under existing or hereafter enacted laws of the  
19 United States, the boards of supervisors in the various counties  
20 in the state are hereby authorized and empowered, in their  
21 discretion, to expend out of the general county fund, or special



22 veterans' fund herein authorized to be set up, or from both of  
23 such funds, such monies necessary to defray the office operating  
24 expenses and salary of the county veteran service officers.

25 Two (2) or more counties may, upon resolution duly adopted by  
26 the board of supervisors of each of such counties, agree to  
27 establish one (1) veteran service office for all of such counties.  
28 When two (2) or more counties enter into such an agreement, each  
29 county shall pay such amount mutually agreed upon and duly adopted  
30 by resolution of the respective boards of supervisors.

31 County veteran service officers shall be (a) honorably  
32 discharged or honorably released veterans; (b) the surviving  
33 spouse or child of any such deceased veteran; or (c) any person  
34 employed as a county veteran service officer in any county of this  
35 state on March 30, 1990. From and after July 1, 1990, county  
36 veteran service officers shall be certified by the Mississippi  
37 State Veterans Affairs Board which, among any other criteria it  
38 may establish, shall require such officers to (a) attend one (1)  
39 of the annual training programs provided for such officers by the  
40 Mississippi State Veterans Affairs Board, (b) successfully  
41 complete a written examination each year on the duties and  
42 responsibilities of and assistance available to such officers and  
43 veterans, (c) have certification and be accredited according to 38  
44 CFR Section 14.629 administered by the Mississippi State Veterans  
45 Affairs Board, and (d) follow the rules and regulations  
46 promulgated by the Mississippi State Veterans Affairs Board.



47 County veteran service officers who annually receive and complete  
48 such instruction in a manner satisfactory to the Veterans Affairs  
49 Board and in accordance with this section shall be certified by  
50 the board. No county veteran service officer shall be entitled to  
51 receive any compensation for his services, to which he is  
52 otherwise entitled by law, unless he is annually certified by the  
53 board. Persons who cannot meet the accreditation standards of  
54 hours worked for county veteran service officers may be certified  
55 by the Mississippi State Veterans Affairs Board as Veterans  
56 Resource Advisors and be entitled to receive any compensation for  
57 his services as authorized by law.

58 County veteran service officers may be employed, in the  
59 discretion of the boards of supervisors, either full time or part  
60 time.

61 County veteran service officers shall be authorized and  
62 empowered to act for a veteran under a written power of attorney  
63 authorized by the veteran for the purpose of assisting with  
64 claims, benefits, and appeals in an administrative hearing before  
65 the United States Department of Veterans Affairs and any of its  
66 boards or departments, and shall be immune from legal action only  
67 for such actions except in cases of abuse, fraud or breach of  
68 fiduciary duty.

69 The boards of supervisors of the various counties are  
70 authorized and directed to provide necessary office space and  
71 communications connectivity for county veteran service officers.



72 The boards of supervisors of the various counties are further  
73 authorized and empowered to pay all necessary and actual expenses  
74 of county veteran service officers who attend a school of  
75 instruction within the State of Mississippi for such county  
76 veteran service officers.

77 It shall also be the duty of the boards of supervisors to aid  
78 the United States to defeat all unjust claims for aid or benefit  
79 therefrom.

80 Such expenditures may be made by the several counties acting  
81 alone, or in cooperation with other counties, and in cooperation  
82 with any federal or state agency carrying out such purposes.

83 In the event that the general revenues of the county levied  
84 under and within the limits of existing taxing statutes are not  
85 sufficient to pay the expenses authorized herein, the board of  
86 supervisors may, in its discretion, levy an additional tax not to  
87 exceed one (1) mill on all taxable property in the county to  
88 defray such expenses or any part thereof. Any tax levy made under  
89 authority of this chapter shall not be considered in refunding  
90 homestead exemption losses under Title 27, Chapter 33, Mississippi  
91 Code of 1972.

92 **SECTION 2.** This act shall take effect and be in force from  
93 and after July 1, 2023.

