

By: Senator(s) Seymour

To: Judiciary, Division A

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
3 UNDER A WRITTEN POWER OF ATTORNEY ESTABLISHED BY THE VETERAN AND
4 BE IMMUNE FROM LEGAL ACTION EXCEPT IN CASES OF ABUSE, FRAUD OR
5 BREACH OF FIDUCIARY DUTY; AND FOR RELATED PURPOSES.

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

8 35-3-21. In order to maintain offices and pay personnel for
9 the purpose of assisting all residents of the State of Mississippi
10 who served in the military or naval forces of the United States
11 during any war, their relatives, beneficiaries or dependents, to
12 receive from the United States any and all compensation,
13 hospitalization, insurance or other aid or benefits to which they
14 may be entitled under existing or hereafter enacted laws of the
15 United States, the boards of supervisors in the various counties
16 in the state are hereby authorized and empowered, in their
17 discretion, to expend out of the general county fund, or special
18 veterans' fund herein authorized to be set up, or from both of



19 such funds, such monies necessary to defray the office operating
20 expenses and salary of the county veteran service officers.

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

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



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

54 County veteran service officers may be employed, in the
55 discretion of the boards of supervisors, either full time or part
56 time.

57 County veteran service officers shall be authorized and
58 empowered to act for a veteran under a written power of attorney
59 established by the veteran and be immune from legal action for
60 such action except in cases of abuse, fraud or breach of fiduciary
61 duty.

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

65 The boards of supervisors of the various counties are further
66 authorized and empowered to pay all necessary and actual expenses
67 of county veteran service officers who attend a school of



68 instruction within the State of Mississippi for such county
69 veteran service officers.

70 It shall also be the duty of the boards of supervisors to aid
71 the United States to defeat all unjust claims for aid or benefit
72 therefrom.

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

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

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

