

## **Senate Amendments to House Bill No. 677**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

### **AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

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

13           35-3-21. In order to maintain offices and pay personnel for  
14 the purpose of assisting all residents of the State of Mississippi  
15 who served in the military or naval forces of the United States  
16 during any war, their relatives, beneficiaries or dependents, to  
17 receive from the United States any and all compensation,  
18 hospitalization, insurance or other aid or benefits to which they  
19 may be entitled under existing or hereafter enacted laws of the  
20 United States, the boards of supervisors in the various counties  
21 in the state are hereby authorized and empowered, in their  
22 discretion, to expend out of the general county fund, or special  
23 veterans' fund herein authorized to be set up, or from both of  
24 such funds, such monies necessary to defray the office operating  
25 expenses and salary of the county veteran service officers.

26           Two (2) or more counties may, upon resolution duly adopted by  
27 the board of supervisors of each of such counties, agree to

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

32 County veteran service officers shall be (a) honorably  
33 discharged or honorably released veterans; (b) the surviving  
34 spouse or child of any such \* \* \* veteran, living or deceased; or  
35 (c) any person employed as a county veteran service officer in any  
36 county of this state on March 30, 1990. From and after July 1,  
37 1990, county veteran service officers shall be certified by the  
38 Mississippi State Veterans Affairs Board which, among any other  
39 criteria it may establish, shall require such officers to (a)  
40 attend one (1) of the annual training programs provided for such  
41 officers by the Mississippi State Veterans Affairs Board, (b)  
42 successfully complete a written examination each year on the  
43 duties and responsibilities of and assistance available to such  
44 officers and veterans, (c) have certification and be accredited  
45 according to 38 CFR Section 14.629 administered by the Mississippi  
46 State Veterans Affairs Board, and (d) follow the rules and  
47 regulations promulgated by the Mississippi State Veterans Affairs  
48 Board. County veteran service officers who annually receive and  
49 complete such instruction in a manner satisfactory to the Veterans  
50 Affairs Board and in accordance with this section shall be  
51 certified by the board. No county veteran service officer shall  
52 be entitled to receive any compensation for his services, to which  
53 he is otherwise entitled by law, unless he is annually certified

54 by the board. Persons who cannot meet the accreditation standards  
55 of hours worked for county veteran service officers may be  
56 certified by the Mississippi State Veterans Affairs Board as  
57 Veterans Resource Advisors and be entitled to receive any  
58 compensation for his services as authorized by law.

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

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

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

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

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

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

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

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

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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 FOR SUCH ACTIONS EXCEPT IN CASES OF  
8 ABUSE, FRAUD OR BREACH OF FIDUCIARY DUTY; TO REVISE CERTAIN  
9 QUALIFICATIONS FOR COUNTY VETERAN SERVICE OFFICERS; AND FOR  
10 RELATED PURPOSES.

SS36\HB677A.J

Eugene S. Clarke  
Secretary of the Senate