

By: Representative Carpenter

To: Military Affairs

HOUSE BILL NO. 978

1 AN ACT TO AMEND SECTION 35-1-7, MISSISSIPPI CODE OF 1972, TO  
 2 PROVIDE THAT THE STATE VETERANS AFFAIRS BOARD SHALL HAVE THIRTY  
 3 DAYS AFTER RECEIVING WRITTEN NOTICE OF A CLAIM THROUGH POWER OF  
 4 ATTORNEY ON BEHALF OF A VETERAN IN ORDER TO PROCESS THE CLAIM; TO  
 5 PROVIDE THAT IF THE APPEAL TIME IS LESS THAN THIRTY DAYS THE STATE  
 6 VETERANS AFFAIRS BOARD MAY ONLY ADVISE THE VETERAN WITH THE CLAIM;  
 7 AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** Section 35-1-7, Mississippi Code of 1972, is  
 10 amended as follows:

11 35-1-7. (1) The duties of the State Veterans Affairs Board  
 12 shall be to assist former and present members of the Armed Forces  
 13 of the United States, and their dependents, in securing any  
 14 benefits or privileges under any federal or state law or  
 15 regulation to which they are entitled and to advise the Governor  
 16 and Legislature on veterans affairs. Moreover, veterans or their  
 17 dependents shall be given their choice of organizations to  
 18 represent them in instances where a case is appealed, and the  
 19 board shall lend its full cooperation in connection therewith.



20 (2) The board and its employees shall cooperate fully with  
21 all congressionally chartered veterans organizations within the  
22 state, including servicing the power of attorney of the  
23 congressionally chartered veterans organizations upon the request  
24 of the organizations to the State Veterans Affairs Board in the  
25 prosecution of all claims on behalf of veterans. However, all  
26 powers of attorney to the State Veterans Affairs Board shall be  
27 processed first, and thereafter, powers of attorney shall be  
28 processed for veterans organizations in the ratio that the  
29 membership of the organization bears to the total number of  
30 veterans residing in Mississippi. The State Veterans Affairs  
31 Board shall have thirty (30) days after receiving written notice  
32 of a claim through power of attorney in order to process the  
33 claim. If the appeal time is less than thirty (30) days the State  
34 Veterans Affairs Board may only advise the veteran with the claim.

35 (3) The State Veterans Affairs Board is designated as the  
36 "state approving agency" for the State of Mississippi. It shall  
37 be the duty of the State Veterans Affairs Board to inspect,  
38 approve and supervise schools, institutions and establishments for  
39 war orphan and veteran training as provided in Section 1771,  
40 Chapter 35, Title 38, United States Code, and in any subsequent  
41 acts passed by the Congress of the United States for the purpose  
42 of education and training of war orphans or former and present  
43 members of the Armed Forces of the United States. The State  
44 Veterans Affairs Board is authorized to employ the needed



45 personnel to perform the duties as outlined in Section 1771,  
46 Chapter 35, Title 38, United States Code, and in any subsequent  
47 acts as enacted by the Congress of the United States, and to enter  
48 into contract with the Department of Veterans Affairs for salary  
49 and travel reimbursement for personnel employed for this purpose.

50 (4) The State Veterans Affairs Board shall operate all  
51 Mississippi state veterans homes when established as authorized by  
52 Sections 35-1-19 through 35-1-29.

53 (5) The powers of the State Veterans Affairs Board in  
54 relation to operating the State Veterans Homes shall specifically  
55 include, but not be limited to, the following authority:

56 (a) To expend, upon appropriation by the Legislature,  
57 any revenue generated by the State Veterans Homes in support of  
58 the State Veterans Homes;

59 (b) To enter into loan or scholarship agreements with  
60 employees or students to provide educational assistance where such  
61 student or employee agrees to work for a stipulated period of time  
62 for the board. Under this agreement the employee will agree to  
63 commit to up to three (3) years but no less than one (1) year, to  
64 be determined by the employment position and the amount of student  
65 debt; provided, however, no State General Fund monies shall be  
66 used for such purposes and the majority of funds for such purposes  
67 shall be provided through programs established by the Mississippi  
68 Department of Health, the United States Department of Health and



69 Human Services, and the United States Department of Veterans  
70 Affairs; and

71 (c) To sell or otherwise dispose of any chattel  
72 property of the State Veterans Affairs Board used in operation of  
73 the State Veterans Homes where such disposition is consistent with  
74 the homes' purposes or where such property is deemed by the board  
75 or its designee to be surplus or otherwise unneeded. The State  
76 Veterans Affairs Board shall develop and submit an annual report  
77 to the Legislature on any such sale or disposition and shall  
78 ensure that the proceeds shall be used to defray the operation of  
79 the State Veterans Homes.

80 (6) The State Veterans Affairs Board is authorized to adopt  
81 such policies and to prescribe such rules and regulations as it  
82 may deem necessary for the proper administration of this chapter.  
83 However, such policies and regulations shall not be in conflict  
84 with any of the provisions of this chapter.

85 **SECTION 2.** This act shall take effect and be in force from  
86 and after July 1, 2024.

