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Indicates New Matter

COMMITTEE REPORT

April 29, 2021

**H. 3416**

Introduced by Reps. Yow, Henegan, B. Newton, Gilliam, Hardee, Crawford, McGinnis, J.E. Johnson, Fry, Bailey, Hewitt, Allison, Atkinson, McGarry, Taylor, Pope, Weeks, Bennett, Garvin, McCabe and Dabney

S. Printed 4/29/21--H.

Read the first time January 12, 2021.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 3416) to amend Section 25‑11‑40, Code of Laws of South Carolina, 1976, relating to county veterans’ affairs officers, so as to designate county veterans’ affairs officers, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**State Expenditure**

This bill designates county veterans’ affairs officers as county employees and allows them to be removed by the county legislative delegation. Currently, county veterans’ affairs officers are employees of the department and subject to removal by the secretary of the department.

Section 25-11-40 currently states that a county veterans’ affairs officer is an at-will employee of the department. However, to date all county veterans’ affairs officers’ salaries and expenses are paid by their respective counties. Therefore, this bill will not impact the department’s general fund, federal funds, or other funds.

**Local Expenditure**

RFA reached out to all 46 counties to determine if this bill would result in a local expenditure impact. Eight Counties responded: Berkeley, Charleston, Chesterfield, Cherokee, Clarendon, Horry, Lancaster, and Spartanburg. All eight counties responded that as the county currently absorbs personal services and operating cost expenditures for their veterans’ affairs officer, this bill would not have an expenditure impact. As county veterans’ affairs officer’s salaries and expenses are currently paid by their respective counties, RFA anticipates this bill will not result in a local expenditure impact to the remaining 38 counties.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 25‑11‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY VETERANS’ AFFAIRS OFFICERS, SO AS TO DESIGNATE COUNTY VETERANS’ AFFAIRS OFFICERS AS COUNTY EMPLOYEES AND TO PROVIDE THAT THEY MAY BE REMOVED BY THE COUNTY LEGISLATIVE DELEGATION.

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

SECTION 1. Section 25‑11‑40 of the 1976 Code, as last amended by Act 26 of 2019, is further amended to read:

“Section 25‑11‑40. (A) For the purpose of this section, ‘veteran’ means a person who served on active duty in the armed forces of the United States and who was honorably discharged or released from such service due to a service‑connected disability.

(B) Subject to the recommendation of a majority of the Senators representing the county and a majority of the House members representing the county, the secretary shall appoint a county veterans’ affairs officer for each county in the State, whose term of office shall begin July first of each odd‑numbered year and shall continue for a term of two years and until a successor shall be appointed. Qualifications shall be determined by the county legislative delegation upon a majority vote of the Senators representing the county and a majority of the House members representing the county. A county veterans’ affairs officer is an at‑will employee of the ~~department~~ county legislative delegation and is considered a county employee, subject to removal for cause at any time by ~~the secretary,~~ a majority of the Senators representing the county, and a majority of the House members representing the county. The secretary may offer recommendations to the county delegation after annual reviews of the local county veterans’ affairs office.

(C) All county veterans’ affairs officers must successfully complete a comprehensive course of training and be issued accreditation within one year following initial appointment, either through the department or through an accredited national veterans’ service organization. A training council from the South Carolina Association of County Veterans’ Affairs Officers, in conjunction with the department or through an accredited national veterans’ service organization, shall develop the training criteria. Training and accreditation must be provided by the department or through an accredited national veterans’ service organization. A county veterans’ affairs officer who does not complete the required training and receives accreditation within the first year following appointment is ineligible for reappointment by the county legislative delegation. Additionally, in order to maintain accreditation, refresher training is required yearly.

(D) In Dorchester County, appointments made pursuant to this section are governed by the provisions of Act 512 of 1996.”

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

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