

House File 259 - Enrolled

House File 259

AN ACT

RELATING TO MATTERS UNDER THE PURVIEW OF THE DEPARTMENT OF VETERANS AFFAIRS, INCLUDING COUNTY COMMISSIONS OF VETERAN AFFAIRS AND CEMETERY EXPENDITURES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 35.1, subsection 2, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. *d.* A resident of this state who served in any component of the armed forces of the United States, who is in receipt of service-connected disability from the United States department of veterans affairs, and who was discharged under honorable conditions.

Sec. 2. Section 35A.3, subsection 7, Code 2024, is amended by striking the subsection.

Sec. 3. Section 35A.5, subsection 6, Code 2024, is amended to read as follows:

6. *a.* ~~Conduct~~ Administer or conduct one service school each year for county commissioners and one service school for executive directors and administrators. ~~The service school for executive directors and administrators shall provide at least sixteen continuing education units.~~

b. (1) The department may receive and accept donations, grants, gifts, and contributions from any public or private source to be used for any of the following purposes:

(a) Providing payment for training opportunities under paragraph "a".

(b) Organizing training relating to state programs for county commission of veteran affairs executive directors, administrators, and commissioners.

(c) Hiring an agency, organization, or other entity to provide training or educational programming.

(d) Reimbursing county commission of veteran affairs executive directors, administrators, and commissioners for transportation costs related to a conference, program, or both.

(e) Verifying a person's qualifications pursuant to subsection 9.

(2) All funds received by the department for the purposes established in subparagraph (1) shall be deposited in the county commission of veteran affairs training program account established in section 35A.16, subsection 4.

Sec. 4. Section 35A.5, subsection 9, Code 2024, is amended by striking the subsection and inserting in lieu thereof the following:

9. Verify each executive director and administrator of a county commission of veteran affairs is fully qualified to work in the person's position. Qualifications include but are not limited to all of the following:

a. The person has obtained certification that is federally required for the executive director's or administrator's position within twelve months of beginning the person's employment.

b. The person has obtained a personal identification verification card necessary to access the veterans benefits management system within twelve months of beginning the person's employment.

c. The person maintains certification that is federally required for the executive director's or administrator's position.

d. The person maintains an active personal identification verification card and has access to the veterans benefits management system.

e. The person is proficient in the use of electronic mail, general computer use, and use of the internet to access information regarding facilities, benefits, and services available to veterans and their families.

Sec. 5. Section 35A.13, subsection 3, Code 2024, is amended to read as follows:

3. Moneys credited to the trust fund shall not be transferred, used, obligated, appropriated, or otherwise encumbered, except as provided in [this section](#). ~~Moneys in the trust fund may also be used for cemetery grant development purposes provided that any moneys so allocated, except for moneys used for department of administrative services expenditures related to the grant, are returned to the trust fund upon receipt of federal funds received for such purposes.~~

Sec. 6. Section 35A.16, subsection 3, paragraph a, Code 2024, is amended to read as follows:

a. If sufficient moneys are available, the department shall annually allocate ten thousand dollars to each county commission of veteran affairs, or to each county sharing the services of an executive director or administrator pursuant to [chapter 28E](#), to be used to provide services to veterans pursuant to [section 35B.6](#) and provide for and maintain accreditation in accordance with the policies and procedures of the United States department of veterans affairs. Each county receiving an allocation shall annually report on expenditure of the allocation in a form agreed to by the department and county representatives.

Sec. 7. Section 35A.16, subsection 4, Code 2024, is amended to read as follows:

4. A county commission of veteran affairs training program account shall be established within the county commissions of veteran affairs fund. Any moneys remaining in the fund after the allocations under [subsection 3](#) shall be credited to the account and used by the department to fund the county commission of veteran affairs training program under ~~section 35A.17~~ [section 35A.5, subsection 6](#), and training for department personnel.

Sec. 8. Section 35B.3, Code 2024, is amended to read as follows:

35B.3 County commission of veteran affairs.

The county commission of veteran affairs shall consist of either three or five persons, as determined by the board of supervisors, all of whom shall be veterans as defined in

section 35.1. If possible, each member of the commission shall be a veteran of a different military ~~action~~ branch. However, this qualification does not preclude membership to a veteran who served in more than one branch of the military ~~actions~~.

Sec. 9. Section 35B.6, subsection 1, paragraph c, Code 2024, is amended to read as follows:

c. (1) Upon the employment of an executive director or administrator, the executive director or administrator shall complete a course ~~of~~ for the purpose of obtaining certification training provided by the department of veterans affairs pursuant to ~~section 35A.5~~ federally required for the person's position and a personal identification verification card necessary to access the veterans benefits management system. If an executive director or administrator fails to obtain certification or a personal identification verification card within one year of being employed, the executive director or administrator shall be removed from office. ~~The department shall issue the executive director or administrator a certificate of training after completion of the certification training course. To maintain certification, the~~ Upon a request from a county commission of veteran affairs and based on extenuating circumstances, the commandant of the Iowa department of veterans affairs may extend the time frame for an executive director or administrator to obtain a personal identification verification card.

(2) An executive director or administrator shall satisfy the continuing education requirements established by the national association of county veterans service officers and the United States department of veterans affairs. Failure of an executive director or administrator to maintain certification shall be cause for removal from office. The expenses of training the executive director or administrator shall be paid from the appropriation authorized in section 35B.14.

(3) An executive director or administrator shall satisfy the continuing education requirements necessary to maintain an active personal identification verification card and access to the veterans benefits management system. Failure of an executive director or administrator to maintain certification

and access to the veterans benefits management system shall be cause for removal from office.

Sec. 10. Section 35B.14, subsection 4, Code 2024, is amended to read as follows:

4. Burial expenses shall be paid by the county in which the person died resided. ~~If the person is a resident of a different county at the time of death, the county of residence shall reimburse the county where the person died for the cost of burial. In either case, the~~ The county board of supervisors of the ~~respective counties~~ shall audit and pay the account from the funds provided for in this chapter in the manner as other claims are audited and paid.

Sec. 11. REPEAL. Sections 35A.17 and 35B.17, Code 2024, are repealed.

Sec. 12. TRANSITION. A person employed in the position of a county veteran service officer on the effective date of this Act must obtain a personal identification verification card under section 35A.5, subsection 9, as amended by this Act, within one year of the effective date of this Act or be removed from office.

PAT GRASSLEY
Speaker of the House

AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 259, Ninetieth General Assembly.

MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2024

KIM REYNOLDS
Governor