



2024 South Dakota Legislature

Senate Bill 105

Introduced by: **Senator Johnson**

1 **An Act to provide for the employment of veterans' service officers by the**
 2 **Department of Veterans Affairs.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 33A-1-8 be AMENDED:**

5 **33A-1-8.** The Department of Veterans Affairs may promulgate rules, pursuant to
 6 chapter 1-26, to:

- 7 (1) Provide procedures and standards for department personnel to act as agents for
 8 veterans pursuant to § 33A-1-13;
- 9 (2) Provide procedures and standards for cooperation and administration of burial of
 10 veterans pursuant to § 33A-1-15;
- 11 (3) Provide procedures and requirements to assist in securing veterans' benefits and
 12 to train county and tribal veterans service officers to provide such assistance
 13 pursuant to § 33A-1-16; ~~and~~
- 14 (4) Provide procedures for investigations pursuant to § 33A-1-20; and
- 15 (5) Provide the process by which a board of county commissioners or Indian tribe may
 16 request reimbursement for the expenses incurred pursuant to §§ 33A-1-26 and
 17 33A-1-28.

18 **Section 2. That § 33A-1-22 be AMENDED:**

19 **33A-1-22.** The board of county commissioners of each county in this state shall
 20 employ or join with another county or counties in employing a county veterans' service
 21 officer who, before such employment takes effect, is approved by the state secretary of
 22 veterans' veterans' affairs. The number of veterans' service officers employed by the board
 23 in each county is determined by the population of resident veterans in the county, as
 24 provided by the United States Department of Veterans Affairs, as follows:

1 (1) For a county with more than one thousand five hundred but fewer than four
 2 thousand resident veterans, the board must employ a minimum of one full-time
 3 dedicated veterans' service officer.

4 (2) For a county with four thousand or more resident veterans, the board must employ
 5 a minimum of two full-time dedicated county veterans' service officers and must
 6 employ an additional full-time dedicated veterans' service officer for every
 7 additional four thousand veterans residing in the county.

8 (3) For a county with one thousand five hundred or fewer resident veterans, the board
 9 must employ a minimum of one part-time dedicated county service officer but may
 10 hire a full-time dedicated county veterans' service officer to work in a region of two
 11 or more counties established by the department. The total combined population of
 12 resident veterans in the region designated by the department determines the
 13 minimum number of full-time dedicated county veterans' service officers employed
 14 for that region, in accordance with subdivision (1) or (2) as applicable.

15 The county ~~veteran's~~ veterans' service officer's first appointment ends on the first
 16 Monday in January of the second year subsequent to the year of the appointment. The
 17 county ~~veteran's~~ veterans' service officer may be reappointed for terms of four years for
 18 each term. The appointment is subject to removal by the board or boards of county
 19 commissioners upon the recommendation of the state secretary of ~~veterans'~~ veterans
 20 affairs or for cause. The county veterans' service officer shall work in the county or region
 21 of counties designated by the department for which the veterans' service officer was
 22 employed.

23 **Section 3. That § 33A-1-23 be AMENDED:**

24 **33A-1-23.** The board or boards of county commissioners shall furnish the county
 25 veterans' service officer with ~~such assistance and~~ clerical help as may be necessary, ~~when,~~
 26 ~~in the opinion of the board or boards of county commissioners and the Department of~~
 27 Veterans Affairs such action would be in the public interest to perform all the statutory
 28 duties and exercise all statutory authority in the public interest.

29 **Section 4. That § 33A-1-24 be AMENDED:**

30 **33A-1-24.** Each county ~~veterans~~ veterans' service officer shall provide, within the
 31 county or region of counties ~~employing the officer~~ the officer is designated to serve by the
 32 Department of Veterans Affairs, local contact between fieldmen of the Department of
 33 Veterans Affairs and persons in the armed service or those discharged from such service,

1 and the dependents ~~of such persons~~ thereof. The county ~~veterans~~ veterans' service officer
2 works under the direction of the Department of Veterans Affairs.

3 **Section 5. That § 33A-1-26 be AMENDED:**

4 **33A-1-26.** The Department of Veterans Affairs shall establish a training program
5 for county ~~veterans~~ veterans' service officers. Every county ~~veterans~~ veterans' service
6 officer employed under the provisions of this chapter shall annually complete the training
7 program established by the department and successfully complete a test administered by
8 the department. The department shall reimburse the county for per diem and travel
9 expenses and any applicable registration or testing fees incurred by each officer attending
10 the annual training program.

11 The secretary of the ~~Department of Veterans Affairs~~ department shall certify
12 training compliance to the board of county commissioners. ~~The secretary shall recommend~~
13 ~~against reappointment of any county veterans service officer not in compliance with the~~
14 ~~provisions of this section.~~

15 **Section 6. That § 33A-1-28 be AMENDED:**

16 **33A-1-28.** ~~A county veterans service officer may be employed either part time or~~
17 ~~full time.~~The salary and budget of ~~the~~ an officer is determined by the board or boards of
18 county commissioners employing the officer and is paid for by the Department of Veterans
19 Affairs. The board or boards of county commissioners shall provide the officer ~~must be~~
20 ~~provided~~ appointed by the department with a secure office space, office fixtures,
21 furnishings, and equipment, either in the courthouse or some other central and accessible
22 location, and the department shall reimburse the county for expenses incurred in securing
23 and maintaining an accessible office for the county veterans' service officer.

24 **Section 7. That § 33A-1-29 be AMENDED:**

25 **33A-1-29.** An Indian ~~tribes~~ tribe, as defined in subdivision 2-14-2(14), may
26 appoint a veterans' service ~~officers~~ officer who shall serve under the same terms and
27 conditions as county veterans' service officers, as provided for in §§ 33A-1-22 to 33A-1-
28 28, inclusive. ~~Such~~ The officers employed by the department for an Indian tribe shall be
29 ~~known as~~ are tribal veterans' service officers.

30 **Section 8. That § 33A-1-30 be REPEALED:**

1 ~~Such Indian tribes and veterans' service officers shall receive the same salary~~
2 ~~reimbursement and services from the Department of Veterans Affairs as those available~~
3 ~~to county commissioners and county veteran service officers under the provisions of this~~
4 ~~chapter.~~

5 ~~Such Indian tribes shall be entirely responsible for all financial obligations accrued~~
6 ~~by veterans' service officers, appointed pursuant to the terms of § 33A-1-29, except as~~
7 ~~provided in this section.~~

8 **Section 9. That § 33A-1-31 be REPEALED:**

9 ~~The Department of Veterans Affairs may establish, implement, and maintain a~~
10 ~~program for providing financial assistance to counties in paying the salaries of county~~
11 ~~veterans service officers. No county may be reimbursed in excess of twenty five percent~~
12 ~~of the basic salary schedule outlined in § 33A-1-32 for any fiscal year.~~

13 **Section 10. That § 33A-1-32 be REPEALED:**

14 ~~The basic salary schedule for county veterans' service officers, which may be~~
15 ~~adopted by any board of county commissioners, is:~~

- 16 ~~(1) — For counties with population of 50,000 and over, \$20,625 a year;~~
17 ~~(2) — For counties with population of 20,000 to 50,000, \$19,250 a year;~~
18 ~~(3) — For counties with population of 10,000 to 20,000, \$16,500 a year;~~
19 ~~(4) — For counties with population of 5,000 to 10,000, \$12,375 a year; and~~
20 ~~(5) — For counties with population up to 5,000, \$8,250 a year.~~

21 **Section 11. That § 33A-1-33 be REPEALED:**

22 ~~A county may only be reimbursed pursuant to § 33A-1-31 if the county veterans'~~
23 ~~service officer employed has undergone training pursuant to §§ 33A-1-16 and 33A-1-26.~~

24 **Section 12. This Act is effective July 1, 2025.**