

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Civic, Military, & Veterans Affairs.

HB21-1065 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, **add** 8-1-153 as
4 follows:

5 **8-1-153. Private employers - veterans' preference hiring policy**
6 **- definitions.** (1) AS USED IN THIS SECTION:

7 (a) "ELIGIBLE INDIVIDUAL" MEANS:

8 (I) A VETERAN WITH A DISABILITY WHO HAS A ONE HUNDRED
9 PERCENT PERMANENT AND TOTAL DISABILITY RATING IF THE DATE OF
10 HIRING IS WITHIN TEN YEARS AFTER THE VETERAN'S DATE OF DISCHARGE;

11 (II) A VETERAN, A VETERAN WITH A LESS THAN ONE HUNDRED
12 PERCENT PERMANENT AND TOTAL DISABILITY RATING, A MEMBER OF THE
13 MILITARY RESERVES, OR A MEMBER OF THE NATIONAL GUARD WHO
14 RECEIVED DISCHARGE DOCUMENT DD214 IF THE DATE OF HIRING IS
15 WITHIN FIVE YEARS AFTER THE DATE OF DISCHARGE; OR

16 (III) THE SPOUSE OF A SERVICE MEMBER KILLED IN THE LINE OF
17 DUTY IF THE DATE OF HIRING IS WITHIN FIVE YEARS AFTER THE DATE OF
18 THE DEATH OF THE SERVICE MEMBER.

19 (b) "PRIVATE EMPLOYER" MEANS A PRIVATE, NONPUBLIC PERSON
20 THAT EMPLOYS ONE OR MORE EMPLOYEES WITHIN THE STATE.

21 (c) "VETERAN" HAS THE SAME MEANING AS SET FORTH IN SECTION
22 8-14.3-202 (8).

23 (d) "VETERANS' PREFERENCE HIRING POLICY" MEANS A PRIVATE
24 EMPLOYER'S PREFERENCE FOR HIRING AN ELIGIBLE INDIVIDUAL IF THE
25 ELIGIBLE INDIVIDUAL IS AT LEAST AS QUALIFIED AS THE OTHER
26 APPLICANTS.

27 (e) "VETERAN WITH A DISABILITY" MEANS A VETERAN WHO HAS A
28 COMPENSABLE, SERVICE-CONNECTED DISABILITY AS ADJUDICATED BY THE
29 UNITED STATES DEPARTMENT OF VETERANS AFFAIRS OR THE APPROPRIATE
30 BRANCH OF THE ARMED FORCES.

31 (2) A PRIVATE EMPLOYER MAY ADOPT AND APPLY A VETERANS'
32 PREFERENCE HIRING POLICY IF:

33 (a) THE PRIVATE EMPLOYER APPLIES THE VETERANS' PREFERENCE
34 HIRING POLICY UNIFORMLY TO ALL HIRING DECISIONS;

35 (b) THE PRIVATE EMPLOYER REQUIRES A VETERAN TO PROVIDE
36 PROOF OF SERVICE BY FURNISHING A COPY OF THE VETERAN'S DISCHARGE
37 DOCUMENT DD214;

38 (c) THE PRIVATE EMPLOYER REQUIRES THE SPOUSE OF A SERVICE
39 MEMBER KILLED IN THE LINE OF DUTY TO FURNISH PROOF OF MARRIAGE TO
40 THE SERVICE MEMBER KILLED IN THE LINE OF DUTY AND A COPY OF THE

1 SERVICE MEMBER'S DISCHARGE DOCUMENT DD214 AND THE DEATH
2 CERTIFICATE; AND

3 (d) THE VETERANS' PREFERENCE HIRING POLICY IS IN WRITING AND
4 SPECIFIES THE DATE THAT THE POLICY TAKES EFFECT.

5 (3) THE ADOPTION AND APPLICATION OF A VETERANS' PREFERENCE
6 HIRING POLICY BY A PRIVATE EMPLOYER IN ACCORDANCE WITH THIS
7 SECTION IS NOT A DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE IN
8 VIOLATION OF PART 4 OF ARTICLE 34 OF TITLE 24.

9 (4) A PRIVATE EMPLOYER MAY ADVERTISE FOR AND ACTIVELY
10 RECRUIT VETERANS TO APPLY FOR EMPLOYMENT WITH THE PRIVATE
11 EMPLOYER REGARDLESS OF WHETHER THE PRIVATE EMPLOYER ADOPTS A
12 VETERANS' PREFERENCE HIRING POLICY.

13 **SECTION 2. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly; except
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V
17 of the state constitution against this act or an item, section, or part of this
18 act within such period, then the act, item, section, or part will not take
19 effect unless approved by the people at the general election to be held in
20 November 2022 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor."

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