



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1308

veterans' benefits' claims; prohibitions

Purpose

Prohibits a person from receiving compensation for outlined activities relating to veterans' benefits matters before the Arizona Department of Veterans' Services (ADVS) or the U.S. Department of Veterans Affairs (U.S. VA).

Background

ADVS duties include: 1) assisting veterans and their families and dependents in presenting, providing and establishing claims, privileges, rights and benefits they may have under federal, state or local law; 2) cooperating with all government and private agencies receiving services for or benefits to veterans and their families and dependents; 3) entering into agreements with veterans' organizations in Arizona holding a charter granted by the U.S. Congress for the beneficial interest of veterans; 4) evaluating, programs offered by educational institutions and training establishments pursuant to federal and state law, so that veterans and their dependents may draw the educational allowance provided by federal law while pursuing approved programs; and 5) establishing an application process for the Arizona gold star military medal, verifying the eligibility of recipients and, if funding is available, awarding the Arizona gold star military medal to an eligible individual ([A.R.S. § 41-603](#)).

The U.S. VA is an agency of the federal government that provides benefits, health care and cemetery services to military veterans. The Veterans Benefits Administration within the U.S. VA is responsible for initial veteran registration, eligibility determination and administration of non-medical benefits, including home loan guarantees, insurance, vocational training, education and pension compensation. Veterans' service organizations are sometimes used to assist with applications for veterans benefits and appeals, and the U.S. VA maintains a directory of recognized veterans' service organizations ([U.S. VA](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits a person from receiving compensation for:
 - a) preparing, presenting or prosecuting a claim for an individual regarding a veterans' benefits matter before ADVS or the U.S. VA;
 - b) advising, consulting or assisting an individual regarding a veterans' benefits matter before ADVS or the U.S. VA; or
 - c) referring an individual to another person to prepare, present or prosecute a claim or to advise, consult or assist an individual with a veterans' benefits matter before ADVS or the U.S. VA.

FACT SHEET

S.B. 1308

Page 2

2. States that a division of fees between attorneys that is otherwise proper pursuant to the Rules of Professional Conduct adopted by the Arizona Supreme Court (Supreme Court) is not prohibited.
3. Requires a person who violates this prohibition to be held to the same ethical standards to which an attorney is held pursuant to the Rules of Professional Conduct adopted by the Supreme Court regarding:
 - a) advertising;
 - b) solicitation of new clients;
 - c) confidentiality;
 - d) duty of care;
 - e) duty of honesty; and
 - f) duty to zealously pursue what is in the best interest of the attorney's client.
4. Defines *veterans' benefits matter* as any benefit, program , service, commodity, function of status the entitlement to which is determined by ADVS or the U.S. VA pertaining to veterans, their dependents, their survivors and any other individual eligible for such benefits.
5. Becomes effective on the general effective date.

Prepared by Senate Research

February 12, 2024

ZD/cs