

BILL NO.

Introduced by

Representative J. Olson

1 A BILL for an Act to create and enact a new section to chapter 37-14 of the North Dakota
2 Century Code, relating to compensation for veterans' benefits, and to provide a penalty.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 37-14 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Compensation for advising on veterans' benefits prohibited - Limitations - Penalty.**

7 1. As used in this section:

8 a. "Compensation" means payment of any money, thing of value, or financial
9 benefit.

10 b. "Veterans' benefits matter" means the preparation, presentation, or prosecution
11 of any claim or appeal affecting an individual who has filed or expressed an intent
12 to file a claim for a benefit, program, service, commodity, function, status, or an
13 entitlement which is determined under the laws and regulations administered by
14 the United States department of veterans affairs or the United States department
15 of defense pertaining to a veteran, a veteran's dependent or survivor, or any
16 other individual eligible for such benefit.

17 2. A person may not:

18 a. Receive compensation for advising or assisting an individual regarding any
19 federal or state veterans' benefits matter, except as allowed under federal law.

20 b. Receive compensation for referring an individual to another person to advise or
21 assist the individual with any veterans' benefits matter.

22 c. Guarantee to an individual a specific veterans' benefit, including any level,
23 percentage, or amount of veterans' benefit, either directly or by implication.

- 1 d. Receive excessive or unreasonable fees as provided under title 38, Code of
2 Federal Regulations, part 14, section 636, as compensation for advising or
3 assisting an individual with a veterans' benefits matter.
- 4 3. A person seeking to receive compensation for advising or assisting an individual with a
5 veterans' benefits matter shall memorialize all terms regarding the individual's
6 payment of fees for services rendered in a written agreement in accordance with
7 title 38, Code of Federal Regulations, part 14, section 636, before rendering services.
- 8 4. A violation of this section is an unlawful practice in violation of section 51-15-02 and
9 subject to a civil penalty under section 51-15-11.