

HOUSE BILL NO. HB0210

Prohibition on unauthorized fees-veterans benefits.

Sponsored by: Representative(s) Knapp, Styvar, Tarver and Winter and Senator(s) McKeown and Smith, D

A BILL

for

1 AN ACT relating to trade and commerce; prohibiting
2 compensation for advising or assisting a person on
3 veterans' benefits matters except as permitted under
4 federal law; providing limitations; providing definitions;
5 providing for enforcement and penalties; specifying
6 applicability; and providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 40-12-801 is created to read:

11

12

ARTICLE 8

13

ADVISING OR ASSISTING ON VETERANS' BENEFITS

14

1 **40-12-801. Compensation for advising or assisting on**
2 **veterans' benefits prohibited; limitations; penalties;**
3 **definitions.**

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5 (a) As used in this section:

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7 (i) "Veterans' benefits matter" means the
8 preparation, presentation or prosecution of any claim
9 affecting any person who has filed or expressed an intent
10 to file a claim for any state or federal benefit, program,
11 service, commodity, function or status, entitlement that is
12 determined under the laws and regulations administered by
13 the United States department of veterans affairs or the
14 Wyoming military department pertaining to veterans, their
15 dependents, their survivors and any other person eligible
16 for the benefits;

17

18 (ii) "Compensation" means the payment of any
19 money, thing of value or financial benefit.

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21 (b) No person shall receive compensation for:

22

1 (i) Advising or assisting any person with regard
2 to any veterans' benefits matter, except as permitted under
3 federal law and as provided by this section;

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5 (ii) Referring any person to another person to
6 advise or assist the person with any veterans' benefits
7 matter.

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9 (c) A person seeking to receive compensation for
10 advising or assisting any person with any veterans'
11 benefits matter shall, before rendering any advice or
12 assistance, memorialize all terms regarding the person's
13 payment of fees for services rendered in a written
14 agreement, signed by both parties, that adheres to all
15 criteria specified in 38 C.F.R. § 14.636.

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17 (d) No person shall receive compensation for any
18 services rendered before the date on which a notice of
19 disagreement is filed with respect to the person's case.

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21 (e) No person shall guarantee, either directly or by
22 implication, that any person is certain to receive specific

1 veterans' benefits or a specific level, percentage or
2 amount of veterans' benefits.

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4 (f) No person shall receive excessive or unreasonable
5 fees as compensation for advising or assisting any person
6 with any federal or state veterans' benefits matter. The
7 factors specified in 38 C.F.R. § 14.636 shall govern
8 determinations of whether a fee is excessive or
9 unreasonable.

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11 (g) No person shall advise or assist for compensation
12 any person concerning any veterans' benefits matter without
13 clearly providing, at the outset of the business
14 relationship, the following disclosure, both orally and in
15 writing:

16

17 "This business is not sponsored by, or affiliated
18 with, the United States Department of Veterans
19 Affairs, the Wyoming Military Department or any
20 other federally chartered veterans service
21 organization. Other organizations, including but
22 not limited to the Wyoming Military Department,
23 your local county veterans service agency and

1 other federally chartered veterans' service
2 organizations, may be able to provide you with
3 this service free of charge. Products or services
4 offered by this business are not necessarily
5 endorsed by any of these organizations. You may
6 qualify for other veterans' benefits beyond the
7 benefits for which you are receiving services
8 here."

9

10 The written disclosure shall appear in not less than twelve
11 (12) point font and shall appear in a readily noticeable
12 and identifiable place in the person's agreement with the
13 person seeking services. The person shall verbally
14 acknowledge understanding and receipt of the oral
15 disclosure and shall sign the document in which the written
16 disclosure appears, to represent understanding of the
17 disclosure. The person offering services shall retain a
18 copy of the written disclosure while providing veterans'
19 benefits services for compensation to the person and for at
20 least one (1) year after the date on which the service
21 relationship terminates.

22

1 (h) No person shall advertise for compensation
2 services in any veterans' benefits matters without
3 including the disclosure outlined in subsection (g) of this
4 section. If the advertisement is printed, including but not
5 limited to advertisements visible to internet users, the
6 disclosure shall appear in a readily visible place on the
7 advertisement. If the advertisement is verbal, the
8 disclosure shall be spoken as part of the advertisement in
9 the first instance.

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11 (j) A person who violates this section commits an
12 unlawful practice under W.S. 40-12-105.

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14 **Section 2.** W.S. 40-12-105(a) by creating a new
15 paragraph (xviii) is amended to read:

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17 **40-12-105. Unlawful practices.**

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19 (a) A person engages in a deceptive trade practice
20 unlawful under this act when, in the course of his business
21 and in connection with a consumer transaction, he
22 knowingly:

23

1 (xviii) Violates W.S. 40-12-801.

2

3 **Section 3.** This act shall apply to business
4 relationships or agreements that concern any veterans'
5 benefits matter where the business relationship begins on
6 and after July 1, 2025. Nothing in this act shall be
7 construed to impair existing agreements, contracts or other
8 obligations that concern any veterans' benefits matter that
9 were entered into before July 1, 2025.

10

11 **Section 4.** This act is effective July 1, 2025.

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13

(END)