

BILL ANALYSIS

Senate Research Center
76R3712 BDH-D

S.B. 525
By: Luna
Veterans Affairs
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As Filed

DIGEST

In 1998, an unprecedented 6,226 Texas National Guard (guard) members served Texas in a variety of emergencies ranging from wild fires to floods, at a cost of \$3.23 million. During that year, it was discovered that guard members are at risk in terms of disability benefits, job protection, and further, that they are not adequately compensated for their services. For example, a guard member who becomes permanently blinded during state active duty status will receive \$923.42 less benefits per month than a guard member who was on federal active duty status at the time of the accident. S.B. 525 would expand disability and surviving dependents' compensation, and protect reemployment rights of state military forces while they are called to training.

PURPOSE

As proposed, S.B. 525 protects reemployment rights and expands compensation for members of the Texas military forces and their dependants.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 431.006, Government Code, as follows:

Sec. 431.006. New heading: REEMPLOYMENT OF PERSON CALLED TO TRAINING OR DUTY. Prohibits the employment termination of a member of the state military forces (soldier) because the soldier is ordered to authorized training, rather than active duty. . Prohibits the soldier from being subjected to loss of time, efficiency rating, vacation time, or any employment benefit during or because of being absent. Deletes the provision that a soldier can only be ordered to duty during an emergency. Makes conforming changes.

SECTION 2. Amends Section 431.082(c), Government Code, to entitle a soldier to receive pay and allowances for training or other duty. Makes conforming changes.

SECTION 3. Amends Section 431.104, Government Code, to delete a prohibition regarding the amount of compensation to which a soldier is entitled. Creates a list of disability ratings and corresponding monthly entitlements. Makes conforming changes.

SECTION 4. Amends Section 431.105, Government Code, by amending Subsection (d) and adding Subsection (e), to entitle the person's surviving dependent parents to certain compensation, and sets forth the compensation amounts and percentages. Redesignates existing Subsection (d) as Subsection (e).

SECTION 5. Emergency clause.
Effective date: upon passage.