

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1452
By: Eissler et al. (Van de Putte)
Veteran Affairs & Military Installations
5/7/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, when a veteran attempts to access employment services within an integrated system funded by both state and federal sources, confusion often results because the federal and state definitions of "veteran" are different. This bill will remove the following differences between current state law and current federal law: the 90-day service requirement; the competency requirement; and the lack of provision for the spouse of a veteran.

By aligning the state statute with the federal law, this bill will minimize the confusion caused by multiple definitions, and make it easier to provide employment and training services to a veteran and an eligible spouse. This bill will also allow the spouse of a service member who died while on active duty to receive a priority of service designation. With less complexity, there will be increased compliance.

C.S.H.B. 1452 amends current law relating to participation in job training and employment assistance programs by veterans and other covered persons.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Veterans Commission in SECTION 1 (Sec. 302.154, Labor Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 302, Labor Code, by adding Subchapter G, as follows:

SUBCHAPTER G. PRIORITY OF SERVICE IN JOB TRAINING AND EMPLOYMENT ASSISTANCE PROGRAMS

Sec. 302.151. DEFINITIONS. Defines "active military, naval, or air service," "covered person," and "veteran."

Sec. 302.152. PRIORITY OF SERVICE REQUIRED. (a) Entitles a covered person to priority in obtaining services or resources under this subchapter. Authorizes a covered person, in the implementation of this section, to take precedence in obtaining services or resources under this subchapter over persons who are not covered persons.

(b) Defines "taking precedence" for purposes of Subsection (a).

Sec. 302.153. PARTICIPATION IN STATE-FUNDED PROGRAMS. Requires that priority of service be given to a covered person who meets the minimum eligibility requirements to participate or enroll in the program or receive the service in selecting applicants to receive training or assistance under a job training or employment assistance or service that is funded wholly or partly with state money.

Sec. 302.154. PARTICIPATION IN TEXAS VETERANS COMMISSION PROGRAMS. (a) Requires the Texas Veterans Commission (TVC) to operate programs funded under 38 U.S.C. Chapters 41 and 42. Authorizes TVC to provide services to enhance the employment and training opportunities of veterans, covered persons, active duty service members, spouses of active duty service members, and members of the

Texas National Guard. Requires that the services provided under this section be provided by state employees.

(b) Authorizes TVC to adopt rules necessary to implement this section.

SECTION 2. Repealer: Section 302.014 (Job Training or Employment Assistance Programs, Services, and Preferences Available to Veterans), Labor Code.

SECTION 3. Effective date: upon passage or September 1, 2009.