

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1940  
By: Van de Putte  
Veteran Affairs & Military Installations  
4/4/2009  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There are approximately 1.7 million veterans in Texas. As servicemembers of the U.S. Armed Forces return from serving in Operation Enduring Freedom and Operation Iraqi Freedom, the number of veterans will continue to increase as will the unmet needs of veterans. To help meet the needs of this growing population, the 80th Legislature, Regular Session, 2007, established the Fund for Veterans' Assistance (fund), which is a special dedicated fund in the state treasury outside the general revenue fund and administered by the Texas Veterans Commission (TVC). TVC is authorized to adopt rules governing the award of grants and the comptroller of public accounts is authorized to solicit and accept gifts and grants to the fund.

The fund is comprised of money transferred at the direction of the legislature, gifts and grants contributed at the direction of the legislature, and the earnings of the fund. Currently, Section 434.017 (Fund For Veterans Assistance), Government Code, provides that money in the fund may be appropriated to TVC to enhance or improve veterans' assistance programs, including veterans' representation and counseling, and to make grants to local communities to address veterans' needs.

However, current law does not allow TVC to issue grants on a statewide basis nor is TVC allowed to utilize money appropriated to the fund for administrative costs. Additionally, current law does not allow the fund to operate as a nonprofit organization, thus precluding the fund from being eligible for many private donations, as well as participating in the state employee charitable campaign.

C.S.S.B. 1940 authorizes money in the fund to be appropriated to TVC to make grants to address veterans' needs and administer the fund. C.S.S.B. 1940 authorizes TVC to solicit and accept a gift, grant, devise, bequest of money, security, service, or property, including money raised or a service provided by a volunteer or volunteer group, to promote the work of TVC. This bill provides that TVC, for the sole purpose of managing the fund for veterans' assistance, is considered an eligible charitable organization entitled to participate in the state employee charitable campaign, and entitles a state employee to authorize a deduction for contributions to TVC for the purpose of managing the fund as a charitable contribution. This bill also entitles a person, when a person registers a motor vehicle, to make a voluntary contribution in any amount to the fund.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 434.017(a), (c), and (e), Government Code, as redesignated and amended by Chapter 1418 (H.B. 3107), Acts of the 80th Legislature, Regular Session, 2007, as follows:

- (a) Provides that the fund for veteran's assistance (fund) is a special fund in the state treasury outside the general revenue fund, and is composed of certain revenue, including money deposited to the fund to the credit of the fund under Section 502.1746, Transportation Code. Makes nonsubstantive changes.

(c) Authorizes money in the fund to be appropriated to the Texas Veterans Commission (TVC) to make grants to address veterans' needs, rather than make grants to local communities to address veterans' needs, and to administer the fund.

(e) Authorizes TVC, to carry out any purpose of this chapter, to solicit and accept a gift, grant, devise, bequest of money, security, service, or property, including money raised or a service provided by a volunteer or volunteer group, to promote the work of TVC. Authorizes TVC to participate in the establishment and operation of an affiliated nonprofit organization that is established for the purpose of raising money for or providing services or other benefits to TVC. Authorizes a gift, grant, devise, or bequest to the fund to be appropriated in the same manner as other money in the fund, subject to any limitation or requirement placed on the gift, grant, devise, or bequest by the donor or granting entity. Deletes existing text authorizing the comptroller of public accounts (comptroller) to solicit and accept gifts and grants to the fund. Makes nonsubstantive changes.

SECTION 2. Amends Subchapter A, Chapter 434, Government Code, by adding Section 434.0171, as follows:

Sec. 434.0171. STATE EMPLOYEE CONTRIBUTIONS TO FUND FOR VETERANS' ASSISTANCE. Provides that for purposes of Subchapter I (Charitable Contributions), Chapter 659 (Compensation) TVC, for the sole purpose of managing the fund for veterans' assistance, is considered an eligible charitable organization entitled to participate in the state employee charitable campaign; and entitles a state employee to authorize a deduction for contributions to TVC for the purposes of managing the fund as a charitable contribution under Section 659.132 (Deduction Authorized), and authorizes TVC to use the contributions for the purposes listed in Section 434.017(c), as redesignated and amended by Chapter 1418 (H.B. 3107), Acts of the 80th Legislature, Regular Session, 2007.

SECTION 3. Amends Subchapter D, Chapter 502, Transportation Code, by adding Section 502.1746, as follows:

Sec. 502.1746. VOLUNTARY CONTRIBUTION TO VETERANS' ASSISTANCE FUND. (a) Entitles a person, when a person registers a motor vehicle under this chapter, to make a voluntary contribution in any amount to the fund established by Section 434.017, Government Code, as redesignated and amended by Chapter 1418 (H.B. 3107), Acts of the 80th Legislature, Regular Session, 2007.

(b) Requires the county assessor-collector to send any contribution made under this section to the comptroller for deposit in the state treasury to the credit of the fund before the 31st day after the date the contribution is made.

SECTION 4. Effective date: upon passage or September 1, 2009.