

## **BILL ANALYSIS**

Senate Research Center  
81R6403 PB-F

S.B. 823  
By: Van de Putte  
Veteran Affairs & Military Installations  
4/14/2009  
As Filed

### **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.

As proposed, S.B. 823 amends current law relating to participation in job training and employment assistance programs by veterans and other covered persons.

### **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 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. Requires the Texas Veterans Commission to operate programs in this state to enhance the employment opportunities of veterans, including the employment programs funded under 38 U.S.C. Chapters 41 and 42. Requires that the programs exclusively enhance the employment opportunities of eligible veterans and that the

services provided under those programs be provided by state employees. Authorizes a state employee providing services under a program to only provide services to veterans.

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.