

BILL ANALYSIS

Senate Research Center

H.B. 377
By: Oliverson et al. (Campbell)
Veteran Affairs & Border Security
7/27/2017
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas is home to one of the largest veteran populations in the country. Active and retired service members may choose from a selection of specialty license plates through the Texas Department of Motor Vehicles honoring their military service. Under current law, spouses of military veterans are able to register specialty plates for their vehicle, even if the veteran precedes them in death. The spouse may continue to register and keep the specialty plates but cannot newly register specialty plates. This loophole prevents them from being able to honor their loved ones' service to our nation upon the sale and purchase of a new vehicle or if they moved to the state after the death of the veteran. This was not the intent of the program, which was to provide the families of decorated veterans with certain benefits.

H.B. 377 allows all surviving spouses of deceased veterans the ability to order the same specialty plates that the veteran would have been able to order, were they still alive. This benefit remains in place as long as the surviving spouse does not remarry and closes the loophole in current statute that prevents a spouse of a deceased veteran from being able to honor the memory of their loved one's service to our nation. (Original Author's / Sponsor's Statement of Intent)

H.B. 377 amends current law relating to the issuance of certain specialty license plates, specially marked driver's licenses, and specially marked personal identification certificates.

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 Section 504.302, Transportation Code, by adding Subsection (a-1) and amending Subsection (b), as follows:

(a-1) Provides that the surviving spouse of a person who would be eligible for a specialty license plate under Section 504.308, 504.310 (World War II Veterans), 504.315 (Military Specialty License Plates for Extraordinary Service), 504.316 (Legion of Merit Medal Recipients), or 504.319 (Defense Superior Service Medal Recipients) is entitled to register one vehicle under the applicable section as long as the spouse remains unmarried.

(b) Requires an applicant, rather than an applicant for registration, under this section (Surviving Spouses of Certain Military Veterans) to submit proof of the eligibility of the applicant's deceased spouse for the applicable specialty license plate.

SECTION 2. Amends Section 504.308, Transportation Code, as follows:

Sec. 504.308. DISTINGUISHED FLYING CROSS MEDAL RECIPIENTS. Requires the Texas Department of Motor Vehicles (TxDMV) to issue specialty license plates for persons who have received the Distinguished Flying Cross medal and Distinguished Flying Cross medal with Valor. Requires that license plates issued under this section to recipients of the Distinguished Flying Cross medal with Valor that are not personalized

also include the letter "V" as a prefix or suffix to the numerals on each plate. Deletes existing designation of Subsection (a).

SECTION 3. Amends Section 504.317, Transportation Code, by adding Subsection (b-1), as follows:

(b-1) Provides that a person is eligible to receive specialty license plates under this section if the person is the surviving spouse of a person who had been entitled to specialty plates for veterans with disabilities under Section 504.202 (Veterans with Disabilities), regardless of whether the deceased spouse was issued plates under that section.

SECTION 4. Amends Section 521.011, Transportation Code, as follows:

Sec. 521.011. SERVICES INFORMATION FOR VETERANS. Requires the Texas Department of Public Safety (DPS) and the Texas Veterans Commission (TVC) to jointly develop a one-page informational paper about veterans services provided by this state for veterans who receive a driver's license (DL) with a designation under Section 521.1235 (Designator on License Issued to Veteran), or a personal identification certificate (PIC) with a designation under Section 521.102 (Designator on Personal Identification Certificate Issued to Veteran), rather than jointly develop for veterans who receive a DL or a PIC with veteran's designation a one-page informational paper about veterans services provided by this state.

SECTION 5. Amends Section 521.101(l), Transportation Code, to require that the application for the PIC provide space for the applicant to voluntarily list any information that may qualify the applicant to receive a PIC with a designation, rather than to voluntarily list any military service that may qualify the applicant to receive a PIC with a veteran's designation, under Section 521.102.

SECTION 6. Amends Section 521.102, Transportation Code, by amending Subsections (a) and (c) and adding Subsections (b-1), (d), (e), and (f), as follows:

(a) Defines "disability rating" and "disabled veteran" and redefines "veteran."

(b-1) Requires DPS, on request of the disabled veteran, if a disabled veteran provides proof sufficient to DPS, to include on a PIC issued to the disabled veteran in any available space on the face of the PIC or on the reverse side of the PIC a disabled veteran designation and branch of service in which the disabled veteran served.

(c) Requires DPS to provide to the recipient of a PIC with a designation, rather than a veteran's designation, under this section the informational paper described by Section 521.011 at the time the certificate is issued.

(d) Authorizes a disabled veteran, notwithstanding any other law and except as provided by Subsection (e), for purposes of obtaining a service or benefit available for disabled veterans in this state, to use a PIC described by Subsection (b-1) as satisfactory proof of certain credentials.

(e) Provides that a PIC described by Subsection (b-1) is not satisfactory proof of the disabled veteran's disability rating for purposes of obtaining a property tax exemption provided by Chapter 11 (Taxable Property and Exemptions), Tax Code.

(f) Requires a disabled veteran who renews a PIC described by Subsection (b-1) to provide proof sufficient to DPS of the disabled veteran's disability rating.

SECTION 7. Amends Section 521.1235, Transportation Code, by amending Subsections (a) and (c) and adding Subsections (b-1), (d), (e), and (f), as follows:

(a) Defines "disability rating" and "disabled veteran" and makes nonsubstantive changes.

(b-1) Requires DPS, on request of the disabled veteran, if a disabled veteran provides proof sufficient to DPS, to include on a DL issued to the disabled veteran in any available space on the face of the DL or on the reverse side of the DL a disabled veteran designation and branch of service in which the disabled veteran served.

(c) Requires DPS to provide to the recipient of a DL with a designation, rather than a veteran's designation, under this section the informational paper described by Section 521.011 at the time the license is issued.

(d) Authorizes a disabled veteran, notwithstanding any other law and except as provided by Subsection (e), for purposes of obtaining a service or benefit available for disabled veterans in this state, to use a DL described by Subsection (b-1) as satisfactory proof of certain credentials.

(e) Provides that a DL described by Subsection (b-1) is not satisfactory proof of the disabled veteran's disability rating for purposes of obtaining a property tax exemption provided by Chapter 11, Tax Code.

(f) Requires a disabled veteran who renews a DL described by Subsection (b-1) to provide proof sufficient to DPS of the disabled veteran's disability rating.

SECTION 8. Amends Section 521.142(i), Transportation Code, to require that the application provide space for the applicant to voluntarily list any information, rather than military service, that may qualify the applicant to receive a license with a designation, rather than veteran's designation, under Section 521.1235.

SECTION 9. Effective date: September 1, 2017.