

By: Wilson

H.B. No. 5198

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the entitlement of spouses of certain veterans with  
3 disabilities to a veteran's employment preference.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 657.002, Government Code, is amended to  
6 read as follows:

7 Sec. 657.002. INDIVIDUALS QUALIFIED FOR VETERAN'S  
8 EMPLOYMENT PREFERENCE. The following individuals qualify for a  
9 veteran's employment preference:

- 10 (1) a veteran, including a veteran with a disability;  
11 (2) a veteran's surviving spouse who has not  
12 remarried; ~~and~~  
13 (3) an orphan of a veteran if the veteran was killed  
14 while on active duty; and  
15 (4) the spouse of a veteran who has a total disability  
16 permanent in nature resulting from a service-connected disability.

17 SECTION 2. Section 657.003(b), Government Code, is amended  
18 to read as follows:

19 (b) A state agency shall provide to an individual entitled  
20 to a veteran's employment preference for employment or appointment  
21 over other applicants for the same position who do not have a  
22 greater qualification a veteran's employment preference, in the  
23 following order of priority:

- 24 (1) a veteran with a disability;

1           (2) a veteran;

2           (3) a spouse of a veteran as described by Section  
3 657.002(4);

4           (4) a veteran's surviving spouse who has not  
5 remarried; and

6           (5) [~~(4)~~] an orphan of a veteran if the veteran was  
7 killed while on active duty.

8           SECTION 3. Section 657.005(b), Government Code, is amended  
9 to read as follows:

10           (b) An applicant who is either a veteran with a disability  
11 or a spouse of a veteran as described by Section 657.002(4) shall  
12 furnish the official records to the individual whose duty is to fill  
13 the position.

14           SECTION 4. The changes in law made by this Act apply only to  
15 an open position with a state agency for which the state agency  
16 begins accepting applications on or after the effective date of  
17 this Act. An open position with a state agency for which the state  
18 agency begins accepting applications before the effective date of  
19 this Act is governed by the law in effect on the date the state  
20 agency began accepting applications, and the former law is  
21 continued in effect for that purpose.

22           SECTION 5. This Act takes effect September 1, 2023.