

By: Parker

S.B. No. 1376

A BILL TO BE ENTITLED

AN ACT

relating to a state employment preference for certain spouses of veterans with a disability.

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

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

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

(1) a veteran, including a veteran with a disability;

(2) a veteran's surviving spouse who has not remarried; ~~and~~

(3) an orphan of a veteran if the veteran was killed while on active duty; and

(4) the spouse of a veteran if the spouse is the primary source of income for the household and the veteran has a total disability rating based either on having a service-connected disability with a disability rating of at least 70 percent or on individual unemployability.

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

(b) A state agency shall provide to an individual entitled to a veteran's employment preference for employment or appointment over other applicants for the same position who do not have a

1 greater qualification a veteran's employment preference, in the
2 following order of priority:

3 (1) a veteran with a disability;

4 (2) a veteran;

5 (3) a veteran's surviving spouse who has not
6 remarried; ~~and~~

7 (4) an orphan of a veteran if the veteran was killed
8 while on active duty; and

9 (5) the spouse of a veteran with a disability as
10 described by Section 657.002(4) if the spouse is the primary source
11 of income for the veteran's household.

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

14 (b) An applicant who is either a veteran with a disability
15 as described by Section 657.002(4) or the spouse of a veteran with a
16 disability as described by Section 657.002(4) if the spouse is the
17 primary source of income for the veteran's household shall furnish
18 the official records to the individual whose duty is to fill the
19 position in a form and manner that demonstrates to the satisfaction
20 of the individual that the applicant is entitled to the employment
21 preference.

22 SECTION 4. The changes in law made by this Act apply only to
23 an open position with a state agency for which the state agency
24 begins accepting applications on or after the effective date of
25 this Act. An open position with a state agency for which the state
26 agency begins accepting applications before the effective date of
27 this Act is governed by the law in effect on the date the state

1 agency began accepting applications, and the former law is
2 continued in effect for that purpose.

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