

1-1 By: Parker S.B. No. 1376  
1-2 (In the Senate - Filed March 1, 2023; March 16, 2023, read  
1-3 first time and referred to Committee on Veteran Affairs;  
1-4 April 5, 2023, reported favorably by the following vote: Yeas 6,  
1-5 Nays 0; April 5, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hancock	X		
1-9	Parker	X		
1-10	Blanco	X		
1-11	Eckhardt		X	
1-12	Gutierrez	X		
1-13	Hall	X		
1-14	Sparks	X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to a state employment preference for certain spouses of  
1-18 veterans with a disability.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 657.002, Government Code, is amended to  
1-21 read as follows:

1-22 Sec. 657.002. INDIVIDUALS QUALIFIED FOR VETERAN'S  
1-23 EMPLOYMENT PREFERENCE. The following individuals qualify for a  
1-24 veteran's employment preference:

1-25 (1) a veteran, including a veteran with a disability;

1-26 (2) a veteran's surviving spouse who has not  
1-27 remarried; ~~and~~

1-28 (3) an orphan of a veteran if the veteran was killed  
1-29 while on active duty; and

1-30 (4) the spouse of a veteran if the spouse is the  
1-31 primary source of income for the household and the veteran has a  
1-32 total disability rating based either on having a service-connected  
1-33 disability with a disability rating of at least 70 percent or on  
1-34 individual unemployability.

1-35 SECTION 2. Section 657.003(b), Government Code, is amended  
1-36 to read as follows:

1-37 (b) A state agency shall provide to an individual entitled  
1-38 to a veteran's employment preference for employment or appointment  
1-39 over other applicants for the same position who do not have a  
1-40 greater qualification a veteran's employment preference, in the  
1-41 following order of priority:

1-42 (1) a veteran with a disability;

1-43 (2) a veteran;

1-44 (3) a veteran's surviving spouse who has not  
1-45 remarried; ~~and~~

1-46 (4) an orphan of a veteran if the veteran was killed  
1-47 while on active duty; and

1-48 (5) the spouse of a veteran with a disability as  
1-49 described by Section 657.002(4) if the spouse is the primary source  
1-50 of income for the veteran's household.

1-51 SECTION 3. Section 657.005(b), Government Code, is amended  
1-52 to read as follows:

1-53 (b) An applicant who is either a veteran with a disability  
1-54 as described by Section 657.002(4) or the spouse of a veteran with a  
1-55 disability as described by Section 657.002(4) if the spouse is the  
1-56 primary source of income for the veteran's household shall furnish  
1-57 the official records to the individual whose duty is to fill the  
1-58 position in a form and manner that demonstrates to the satisfaction  
1-59 of the individual that the applicant is entitled to the employment  
1-60 preference.

1-61 SECTION 4. The changes in law made by this Act apply only to

2-1 an open position with a state agency for which the state agency  
2-2 begins accepting applications on or after the effective date of  
2-3 this Act. An open position with a state agency for which the state  
2-4 agency begins accepting applications before the effective date of  
2-5 this Act is governed by the law in effect on the date the state  
2-6 agency began accepting applications, and the former law is  
2-7 continued in effect for that purpose.

2-8 SECTION 5. This Act takes effect September 1, 2023.

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