

By: West

S.B. No. 594

A BILL TO BE ENTITLED

AN ACT

relating to assistance with veterans benefits claims.

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

SECTION 1. Chapter 434, Government Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. ASSISTANCE WITH VETERANS BENEFITS CLAIMS

Sec. 434.451. DEFINITIONS. In this subchapter:

(1) "Compensation" means the payment of money, a financial benefit, or another thing of value.

(2) "Veterans benefit matter" means a claim by a veteran, a veteran's dependent or survivor, or any other person for a benefit, program, service, commodity, function, or status, the entitlement to which is determined under laws and regulations administered by the United States Department of Veterans Affairs or the United States Department of Defense.

Sec. 434.452. PROHIBITED ACTIONS. (a) A person may not:

(1) except as permitted by federal law, receive compensation for:

(A) preparing, presenting, or prosecuting a veterans benefit matter; or

(B) advising a person on, consulting with a person about, or assisting a person with a veterans benefit matter;

(2) receive compensation for referring a person to another person to provide a service described by Subdivision (1);

1           (3) guarantee, either directly or by implication, that  
2 a person is certain to receive specific veterans benefits or a  
3 specific level, percentage, or amount of veterans benefits; or

4           (4) receive excessive or unreasonable fees as  
5 compensation for providing a service described by Subdivision (1).

6           (b) The factors and presumptions specified by 38 C.F.R.  
7 Section 14.636 govern a determination of whether a fee is permitted  
8 or is excessive or unreasonable for the purposes of this section.

9           Sec. 434.453. FEE AGREEMENT. A person seeking to receive  
10 compensation for a service described by Section 434.452(a)(1) must,  
11 before providing the service, memorialize in a written agreement  
12 signed by both parties all terms regarding the payment of fees for  
13 services provided. The fee agreement must comply with all  
14 requirements specified by 38 C.F.R. Section 14.636.

15           Sec. 434.454. DECEPTIVE TRADE PRACTICE. A violation of  
16 this subchapter is a deceptive trade practice actionable under  
17 Subchapter E, Chapter 17, Business & Commerce Code.

18           SECTION 2. This Act takes effect September 1, 2025.