

1-1 By: Barrientos S.B. No. 938
1-2 (In the Senate - Filed March 6, 2003; March 11, 2003, read
1-3 first time and referred to Committee on Veteran Affairs and
1-4 Military Installations; March 31, 2003, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 3, Nays
1-6 0; March 31, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 938 By: Estes

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to enforcement of veteran's employment preferences.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Chapter 657, Government Code, is amended by
1-13 designating Sections 657.001 through 657.009 as Subchapter A and
1-14 adding a heading for Subchapter A to read as follows:

1-15 SUBCHAPTER A. GENERAL PROVISIONS

1-16 SECTION 2. Chapter 657, Government Code, is amended by
1-17 adding Subchapter B to read as follows:

1-18 SUBCHAPTER B. ENFORCEMENT

1-19 Sec. 657.051. COMPLIANCE WITH LAW; HEARING. (a) If a
1-20 public official fails to comply with a provision of this chapter, a
1-21 district court in the district in which the individual is a public
1-22 official may require the public official to comply with the
1-23 provision on the filing of a motion, petition, or other appropriate
1-24 pleading by an individual entitled to a benefit under the
1-25 provision.

1-26 (b) The court shall order a speedy hearing and shall advance
1-27 the hearing on the calendar.

1-28 Sec. 657.052. ENFORCEMENT BY DISTRICT OR COUNTY ATTORNEY.
1-29 On application to the district attorney, criminal district
1-30 attorney, or county attorney of the appropriate county by an
1-31 individual who the attorney reasonably believes is entitled to the
1-32 benefit of a provision of this chapter, the district attorney,
1-33 criminal district attorney, or county attorney shall:

1-34 (1) appear and act as attorney for the individual in an
1-35 amicable adjustment of the claim; or

1-36 (2) file or prosecute a motion, petition, or other
1-37 appropriate pleading to specifically require compliance with the
1-38 provision.

1-39 Sec. 657.053. COURT COSTS AND FEES. A person applying for a
1-40 preference under this chapter may not be charged court costs or fees
1-41 for a claim, motion, petition, or other pleading filed under
1-42 Section 657.051.

1-43 SECTION 3. This Act takes effect September 1, 2003.

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