

BILL ANALYSIS

Senate Research Center
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S.B. 1342
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Veteran Affairs & Military Installations
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Labor Code provides for persons who leave work for certain reasons to claim and receive unemployment compensation. However, current law makes no provision for a military spouse. Military spouses are often required to leave a job because of a military service member's transfer of duty. This situation is outside the individual's control, therefore the cessation of work should not be considered "voluntary" and the individual should be considered eligible for unemployment compensation.

As proposed, S.B. 1342 supports the spouses of military personnel who are required to move because of military service by making them eligible for unemployment compensation. S.B. 1342 also supports the former employer of a military spouse by prohibiting that employer's unemployment account from being charged for these employees, thus helping to alleviate discrimination against hiring military spouses.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Reenacts and amends Section 204.022(a), Labor Code, as amended by Chapters 77, 526, and 817, Acts of the 78th Legislature, Regular Session, 2003, to prohibit benefits computed on benefit wage credits of an employee or former employee from being charged to the account of an employer if the employee's last separation from the employer's employment before the employee's benefit year resulted from a move from the area of the employee's employment that was made with the employee's spouse who is a member of the United States military and was related to certain changes of station or tours of duty of that spouse. Makes nonsubstantive changes.

SECTION 2. Amends Section 207.045(d), Labor Code, to prohibit an individual who is available to work from being disqualified for benefits because the individual left work because of a move from the area of the individual's employment that was made with to the individual's spouse who is a member of the United States military and was related to certain changes of station or tours of duty of that spouse. Makes nonsubstantive changes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Provides that, to the extent of any conflict, this Act prevails over another Act of the 79th Legislature, Regular Session, 2005, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 5. Effective date: upon passage or September 1, 2005.