

By: Kolkhorst

H.B. No. 863

A BILL TO BE ENTITLED

AN ACT

relating to procedures adopted by a state entity to ensure an employment preference for veterans.

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

SECTION 1. Subchapter A, Chapter 657, Government Code, as designated by this Act, is amended by adding Section 657.0081 to read as follows:

Sec. 657.0081. OUTLINE OF PROCEDURES REQUIRED. A public entity shall prepare and make available for public inspection a statement of:

(1) any measures taken by the entity to ensure that veterans receive the employment preference required by this chapter; and

(2) any remedies available through the entity for an individual entitled to a hiring preference under this chapter if the individual is not hired or appointed for a position with the entity.

SECTION 2. Chapter 657, Government Code, is amended by designating Sections 657.001-657.009 as Subchapter A and adding a heading for Subchapter A to read as follows:

SUBCHAPTER A. GENERAL PROVISIONS

SECTION 3. Chapter 657, Government Code, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. ENFORCEMENT

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2 Sec. 657.051. COMPLIANCE WITH LAW; HEARING. (a) If a
3 public official fails to comply with a provision of this chapter, a
4 district court in the district in which the individual is a public
5 official may require the public official to comply with the
6 provision on the filing of a motion, petition, or other appropriate
7 pleading by an individual entitled to a benefit under the
8 provision.

9 (b) The court shall order a speedy hearing and shall advance
10 the hearing on the calendar.

11 Sec. 657.052. ENFORCEMENT BY DISTRICT OR COUNTY ATTORNEY.
12 On application to the district attorney, criminal district
13 attorney, or county attorney of the appropriate county by an
14 individual who the attorney reasonably believes is entitled to the
15 benefit of a provision of this chapter, the district attorney,
16 criminal district attorney, or county attorney shall:

17 (1) appear and act as attorney for the individual in an
18 amicable adjustment of the claim; or

19 (2) file or prosecute a motion, petition, or other
20 appropriate pleading to specifically require compliance with the
21 provision.

22 Sec. 657.053. COURT COSTS AND FEES. A person applying for a
23 preference under this chapter may not be charged court costs or fees
24 for a claim, motion, petition, or other pleading filed under
25 Section 657.051.

26 SECTION 4. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2005.