

1-1 By: Van de Putte S.B. No. 581
1-2 (In the Senate - Filed February 17, 2005; March 1, 2005,
1-3 read first time and referred to Committee on Veteran Affairs and
1-4 Military Installations; March 23, 2005, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 5, Nays
1-6 0; March 23, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 581 By: Van de Putte

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

1-10 relating to the powers and duties of the Veterans' Land Board.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Subchapter C, Chapter 2155, Government Code, is
1-13 amended by adding Section 2155.149 to read as follows:
1-14 Sec. 2155.149. CERTAIN PURCHASES BY VETERANS' LAND BOARD.
1-15 (a) The Veterans' Land Board is delegated all purchasing functions
1-16 relating to veterans homes and veterans cemeteries.
1-17 (b) The Veterans' Land Board shall acquire goods and
1-18 services by any procurement method that provides the best value to
1-19 the Veterans' Land Board. The Veterans' Land Board shall consider
1-20 the best value standards listed in Section 2155.074.
1-21 (c) The commission shall procure goods and services for the
1-22 Veterans' Land Board at the request of the Veterans' Land Board, and
1-23 the Veterans' Land Board may use the services of the commission in
1-24 procuring goods and services.
1-25 SECTION 2. Subsection (a), Section 2166.003, Government
1-26 Code, is amended to read as follows:
1-27 (a) Unless otherwise provided, this chapter does not apply
1-28 to:
1-29 (1) a project constructed by and for the Texas
1-30 Department of Transportation;
1-31 (2) a project constructed by and for a state
1-32 institution of higher education;
1-33 (3) a pen, shed, or ancillary building constructed by
1-34 and for the Department of Agriculture for the processing of
1-35 livestock before export;
1-36 (4) a project constructed by the Parks and Wildlife
1-37 Department;
1-38 (5) a repair or rehabilitation project, except a major
1-39 renovation, of buildings and grounds on the commission inventory;
1-40 (6) a repair and rehabilitation project of another
1-41 using agency, if all labor for the project is provided by the
1-42 regular maintenance force of the using agency under specific
1-43 legislative authorization and the project does not require the
1-44 advance preparation of working plans or drawings;
1-45 (7) a repair and rehabilitation project involving the
1-46 use of contract labor, if the project has been excluded from this
1-47 chapter by commission rule and does not require the advance
1-48 preparation of working plans or drawings;
1-49 (8) an action taken by the Texas Natural Resource
1-50 Conservation Commission under Subchapter F or I, Chapter 361,
1-51 Health and Safety Code; ~~or~~
1-52 (9) a repair, rehabilitation, or construction project
1-53 on property owned by the Texas Department of Housing and Community
1-54 Affairs or the Texas State Affordable Housing Corporation; or
1-55 (10) a project constructed by and for the Veterans'
1-56 Land Board.
1-57 SECTION 3. Subdivision (7), Subsection (a), Section
1-58 161.001, Natural Resources Code, is amended to read as follows:
1-59 (7) "Veteran" means a person who:
1-60 (A)(i) served not less than 90 [~~continuous~~] days,
1-61 unless sooner discharged by reason of a service-connected
1-62 disability, on active duty in the Army, Navy, Air Force, Coast
1-63 Guard, United States Public Health Service (as constituted under 42

U.S.C. Section 201 et seq.), or Marine Corps of the United States after September 16, 1940, and who on the date of filing an application under the program has not been dishonorably discharged from the branch of the service in which the person served;

(ii) has at least 20 years of active or reserve military service as computed when determining the person's eligibility to receive retired pay under applicable federal law;

(iii) has enlisted or received an appointment in the Texas National Guard, who has completed all initial active duty training required as a condition of the enlistment or appointment, and who on the date of filing the person's application has not been dishonorably discharged from the Texas National Guard; or

(iv) served in the armed forces of the Republic of Vietnam between February 28, 1961, and May 7, 1975, if the board adopts a rule regarding these veterans under Subsection (b);

(B) at the time of the person's enlistment, induction, commissioning, appointment, or drafting was a bona fide resident of this state or has resided in this state at least one year immediately before the date of filing an application under this chapter; and

(C) at the time of the person's application under this chapter is a bona fide resident of this state. The term includes the unmarried surviving spouse of a veteran who died or who is identified as missing in action if the deceased or missing veteran meets the requirements of this section, with the exception that the deceased or missing veteran need not have served 90 [continuous] days under Paragraph (A)(i) of this subdivision, and if the deceased or missing veteran was a bona fide resident of this state at the time of enlistment, induction, commissioning, appointment, or drafting.

SECTION 4. The changes in law made by Sections 1 and 2 of this Act apply only to a contract or project for which the Veterans' Land Board first advertises or otherwise solicits bids, proposals, offers, or qualifications on or after the effective date of this Act. A contract or project for which the Veterans' Land Board, or a state agency acting on behalf of the Veterans' Land Board, first advertised or otherwise solicited bids, offers, or qualifications before that date is governed by the law in effect when the first advertisement or solicitation was given, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2005.

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