

BILL ANALYSIS

C.S.H.B. 712
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Defense Affairs & State-Federal Relations
Committee Report (Substituted)

BACKGROUND AND PURPOSE

A recent opinion of the Texas attorney general stated that to receive benefits under Education Code section 54.203(a), an honorably discharged veteran must have been a United States citizen and Texas resident at the time he or she entered the service. Many legal immigrants, who are not citizens, serve honorably in the armed services. These immigrants must have their legal status verified at the time of entry into the service. Further, some of these veterans become citizens while serving, but are precluded from Hazlewood benefits because they were not citizens at the time of entering the armed services.

CSHB 712 reinstates the Hazlewood exemption for military veterans, who entered the service at a location in Texas or are residents of Texas at the time of entry.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

CSHB 712 amends the Education Code to provide that a person seeking the exemption entered the service at a location in Texas or when the person was a resident of Texas determined in the same manner as residency is determined under Subchapter B and is a resident of Texas under Subchapter B to qualify for the exemption. Further, the bill states the exemptions provided for in the bill apply to the children, instead of orphans, of certain members of the armed services who die or are killed or missing in action, among others.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute bill states that a person who entered the service in Texas or when the person was a resident of Texas qualifies for the exemption, changing the original bill language which stated that Texas be the person's "home of record" at the time the person entered the service and resided in the state for 12 months prior to the date of registration at an institution of higher education.