

BILL ANALYSIS

Senate Research Center
81R9251 MCK-F

S.B. 1940
By: Van de Putte
Veteran Affairs & Military Installations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There are approximately 1.7 million veterans in Texas. As servicemembers of the U.S. Armed Forces return from serving in Operation Enduring Freedom and Operation Iraqi Freedom, the number of veterans will continue to increase as will the unmet needs of veterans. To help meet the needs of this growing population, the 80th Legislature, Regular Session, 2007, established the Fund for Veterans' Assistance (fund), which is a special dedicated fund in the state treasury outside the general revenue fund and administered by the Texas Veterans Commission (TVC). TVC is authorized to adopt rules governing the award of grants and the comptroller of public accounts is authorized to solicit and accept gifts and grants to the fund.

The fund is comprised of money transferred at the direction of the legislature, gifts and grants contributed at the direction of the legislature, and the earnings of the fund. Currently, Section 434.017 (Fund For Veterans Assistance), Government Code, provides that money in the fund may be appropriated to TVC to enhance or improve veterans' assistance programs, including veterans' representation and counseling, and to make grants to local communities to address veterans' needs.

However, current law does not allow TVC to issue grants on a statewide basis nor is TVC allowed to utilize money appropriated to the fund for administrative costs. Additionally, current law does not allow the fund to operate as a nonprofit organization, thus precluding the fund from being eligible for many private donations, as well as participating in the state employee charitable campaign.

As proposed, S.B. 1940 authorizes money in the fund to be appropriated to TVC to make grants to address veterans' needs and administer the fund. S.B. 1940 authorizes TVC to solicit and accept gifts and grants to the fund. This bill also provides that TVC, for the sole purpose of managing the fund for veterans' assistance, is considered an eligible charitable organization entitled to participate in the state employee charitable campaign, and entitles a state employee to authorize a deduction for contributions to TVC for the purpose of managing the fund as a charitable contribution.

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. Amends Sections 434.017(b), (c) and (e), Government Code, as added by Chapter 1418 (H.B. 3107), Acts of the 80th Legislature, Regular Session, 2007, as follows:

(b) Prohibits money in the fund for veterans' assistance (fund), except as provided by Subsection (c), rather than Subsections (c) and (e), from being appropriated for any purpose.

(c) Authorizes money in the fund to be appropriated to the Texas Veterans Commission (TVC) to make grants to address veterans' needs, rather than make grants to local communities to address veteran's needs, and to administer the fund.

(e) Authorizes TVC, rather than the comptroller of public accounts, to solicit and accept gifts and grants to the fund. Deletes existing text authorizing a gift or grant to the fund to be appropriated in the same manner as other money in the fund, subject to any limitation or requirement placed on the gift or grant by the donor or granting entity.

SECTION 2. Amends Subchapter A, Chapter 434, Government Code, by adding Section 434.0171, as follows:

Sec. 434.0171. STATE EMPLOYEE CONTRIBUTIONS TO FUND FOR VETERANS' ASSISTANCE. Provides that for purposes of Subchapter I (Charitable Contributions), Chapter 659 (Compensation) TVC, for the sole purpose of managing the fund for veterans' assistance, is considered an eligible charitable organization entitled to participate in the state employee charitable campaign; and entitles a state employee to authorize a deduction for contributions to TVC for the purposes of managing the fund as a charitable contribution under Section 659.132 (Deduction Authorized), and authorizes TVC to use the contributions for the purposes listed in Section 434.017(c), as added by Chapter 1418 (H.B. 3107), Acts of the 80th Legislature, Regular Session, 2007.

SECTION 3. Effective date: upon passage or September 1, 2009.