

1-1 By: Eissler, et al. (Senate Sponsor - Van de Putte) H.B. No. 1452
1-2 (In the Senate - Received from the House April 29, 2009;
1-3 May 1, 2009, read first time and referred to Committee on Veteran
1-4 Affairs and Military Installations; May 8, 2009, reported
1-5 adversely, with favorable Committee Substitute by the following
1-6 vote: Yeas 5, Nays 0; May 8, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1452 By: Van de Putte

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

1-10 relating to participation in job training and employment assistance
1-11 programs by veterans and other covered persons.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 302, Labor Code, is amended by adding
1-14 Subchapter G to read as follows:

1-15 SUBCHAPTER G. PRIORITY OF SERVICE IN JOB TRAINING AND EMPLOYMENT
1-16 ASSISTANCE PROGRAMS

1-17 Sec. 302.151. DEFINITIONS. In this subchapter:

1-18 (1) "Active military, naval, or air service" has the
1-19 meaning assigned by 38 U.S.C. Section 101(24).

1-20 (2) "Covered person" has the meaning assigned by 38
1-21 U.S.C. Section 4215(a). The term includes the spouse of any member
1-22 of the armed forces who died while serving on active military,
1-23 naval, or air service.

1-24 (3) "Veteran" has the meaning assigned by 38 U.S.C.
1-25 Section 101(2).

1-26 Sec. 302.152. PRIORITY OF SERVICE REQUIRED. (a) A covered
1-27 person is entitled to priority in obtaining services or resources
1-28 under this subchapter. In the implementation of this section, a
1-29 covered person may take precedence in obtaining services or
1-30 resources under this subchapter over persons who are not covered
1-31 persons.

1-32 (b) For purposes of Subsection (a), "taking precedence" may
1-33 mean that:

1-34 (1) the covered person receives access to a service or
1-35 resource before a person who is not a covered person; or

1-36 (2) if the service or resource is limited, the covered
1-37 person receives access to the service or resource instead of a
1-38 person who is not a covered person.

1-39 Sec. 302.153. PARTICIPATION IN STATE-FUNDED PROGRAMS. In
1-40 selecting applicants to receive training or assistance under a job
1-41 training or employment assistance program or service that is funded
1-42 wholly or partly with state money, priority of service must be given
1-43 to a covered person who meets the minimum eligibility requirements
1-44 to participate or enroll in the program or receive the service.

1-45 Sec. 302.154. PARTICIPATION IN TEXAS VETERANS COMMISSION
1-46 PROGRAMS. (a) The Texas Veterans Commission shall operate
1-47 programs funded under 38 U.S.C. Chapters 41 and 42. The commission
1-48 may provide services to enhance the employment and training
1-49 opportunities of veterans, covered persons, active duty service
1-50 members, spouses of active duty service members, and members of the
1-51 Texas National Guard. The services provided under this section
1-52 must be provided by state employees.

1-53 (b) The Texas Veterans Commission may adopt rules necessary
1-54 to implement this section.

1-55 SECTION 2. Section 302.014, Labor Code, is repealed.

1-56 SECTION 3. This Act takes effect immediately if it receives
1-57 a vote of two-thirds of all the members elected to each house, as
1-58 provided by Section 39, Article III, Texas Constitution. If this
1-59 Act does not receive the vote necessary for immediate effect, this
1-60 Act takes effect September 1, 2009.

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