

SENATE AMENDMENTS

2nd Printing

By: Eissler, et al.

H.B. No. 1452

A BILL TO BE ENTITLED

AN ACT

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

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

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

SUBCHAPTER G. PRIORITY OF SERVICE IN JOB TRAINING AND EMPLOYMENT ASSISTANCE PROGRAMS

Sec. 302.151. DEFINITIONS. In this subchapter:

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

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

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

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

(b) For purposes of Subsection (a), "taking precedence" may

1 mean that:

2 (1) the covered person receives access to a service or
3 resource before a person who is not a covered person; or

4 (2) if the service or resource is limited, the covered
5 person receives access to the service or resource instead of a
6 person who is not a covered person.

7 Sec. 302.153. PARTICIPATION IN STATE-FUNDED PROGRAMS. In
8 selecting applicants to receive training or assistance under a job
9 training or employment assistance program or service that is funded
10 wholly or partly with state money, priority of service must be given
11 to a covered person who meets the minimum eligibility requirements
12 to participate or enroll in the program or receive the service.

13 Sec. 302.154. PARTICIPATION IN TEXAS VETERANS COMMISSION
14 PROGRAMS. The Texas Veterans Commission shall operate programs in
15 this state to enhance the employment opportunities of veterans,
16 including the employment programs funded under 38 U.S.C. Chapters
17 41 and 42. The programs must exclusively enhance the employment
18 opportunities of eligible veterans, and the services provided under
19 those programs must be provided by state employees. A state
20 employee providing services under a program may only provide
21 services to veterans.

22 SECTION 2. Section 302.014, Labor Code, is repealed.

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

ADOPTED

MAY 21 2009

Atay Spaw
Secretary of the Senate

By: Vandi Putto

H.B. No. 1452

Substitute the following for H.B. No. 1452 :

By: Vandi Putto

C.S. H.B. No. 1452

A BILL TO BE ENTITLED

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

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

SUBCHAPTER G. PRIORITY OF SERVICE IN JOB TRAINING AND EMPLOYMENT

ASSISTANCE PROGRAMS

Sec. 302.151. DEFINITIONS. In this subchapter:

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

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

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

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

(b) For purposes of Subsection (a), "taking precedence" may

1 mean that:

2 (1) the covered person receives access to a service or
3 resource before a person who is not a covered person; or

4 (2) if the service or resource is limited, the covered
5 person receives access to the service or resource instead of a
6 person who is not a covered person.

7 Sec. 302.153. PARTICIPATION IN STATE-FUNDED PROGRAMS. In
8 selecting applicants to receive training or assistance under a job
9 training or employment assistance program or service that is funded
10 wholly or partly with state money, priority of service must be given
11 to a covered person who meets the minimum eligibility requirements
12 to participate or enroll in the program or receive the service.

13 Sec. 302.154. PARTICIPATION IN TEXAS VETERANS COMMISSION
14 PROGRAMS. (a) The Texas Veterans Commission shall operate
15 programs funded under 38 U.S.C. Chapters 41 and 42. The commission
16 may provide services to enhance the employment and training
17 opportunities of veterans, covered persons, active duty service
18 members, spouses of active duty service members, and members of the
19 Texas National Guard. The services provided under this section
20 must be provided by state employees.

21 (b) The Texas Veterans Commission may adopt rules necessary
22 to implement this section.

23 SECTION 2. Section 302.014, Labor Code, is repealed.

24 SECTION 3. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

1 Act takes effect September 1, 2009.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 23, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1452 by Eissler (Relating to participation in job training and employment assistance programs by veterans and other covered persons.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Labor Code relating to participation in job training and employment assistance programs by veterans and other covered persons. Based on the analysis of the Veterans Commission and the Texas Workforce Commission, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 320 Texas Workforce Commission, 403 Veterans Commission

LBB Staff: JOB, SD, KK, NV

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 7, 2009

TO: Honorable Leticia Van de Putte, Chair, Senate Committee on Veteran Affairs & Military Installations

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB1452** by Eissler (relating to participation in job training and employment assistance programs by veterans and other covered persons.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Labor Code relating to participation in job training and employment assistance programs by veterans and other covered persons. Based on the analysis of the Veterans Commission and the Texas Workforce Commission, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 320 Texas Workforce Commission, 403 Veterans Commission

LBB Staff: JOB, KK, NV

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 4, 2009

TO: Honorable Leticia Van de Putte, Chair, Senate Committee on Veteran Affairs & Military Installations

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB1452** by Eissler (Relating to participation in job training and employment assistance programs by veterans and other covered persons.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Labor Code relating to participation in job training and employment assistance programs by veterans and other covered persons. Based on the analysis of the Veterans Commission and the Texas Workforce Commission, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 320 Texas Workforce Commission, 403 Veterans Commission

LBB Staff: JOB, KK, NV

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 1, 2009

TO: Honorable Frank Corte, Jr., Chair, House Committee on Defense & Veterans' Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1452 by Eissler (Relating to participation in job training and employment assistance programs by veterans and other covered persons.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Labor Code relating to participation in job training and employment assistance programs by veterans and other covered persons. Based on the analysis of the Veterans Commission and the Texas Workforce Commission, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 320 Texas Workforce Commission, 403 Veterans Commission

LBB Staff: JOB, KK, NV