

BILL ANALYSIS

C.S.H.B. 1273
By: Farias
Defense & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties are concerned that there is a lack of clarity in the eligibility requirements for the issuance of specialty license plates to certain veterans and that, as a consequence, these deserving veterans are not assured of receiving specialty license plates. The parties note that current law uses dates of service for Korean War veterans, Vietnam veterans, and Desert Shield and Desert Storm veterans to establish eligibility for the plates. Clarity could be achieved, the parties explain, by including the receipt of certain medals in the service eligibility requirements. C.S.H.B. 1273 seeks to address this issue, along with other related matters, in an effort to assure that specialty license plates are awarded to qualified veterans.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

C.S.H.B. 1273 amends the Transportation Code to revise the conditions for issuance of Korea Veteran specialty license plates to require the Texas Department of Motor Vehicles (TxDMV) to issue such specialty license plates for persons who served in the U.S. armed forces during the period beginning on June 27, 1950, and ending on July 27, 1954, and received the National Defense Service Medal; who served in the U.S. armed forces in a combat zone in Korea during the period beginning on June 27, 1950, and ending on July 27, 1954, and received the Korean Service Medal; or who served in the U.S. armed forces in the Korean Demilitarized Zone beginning on July 28, 1954, and received the Korean Defense Service Medal.

C.S.H.B. 1273 revises the conditions for issuance of Vietnam Veteran specialty license plates to require TxDMV to issue such specialty license plates for persons who served in the U.S. armed forces during the period beginning on January 1, 1961, and ending on August 14, 1974, and received the National Defense Service Medal and for persons who served in the U.S. armed forces in a combat zone in the Republic of Vietnam during the period beginning on July 1, 1958, and ending on March 28, 1973, and received the Vietnam Service Medal.

C.S.H.B. 1273 changes the words required to be included on the specialty license plates issued to Desert Shield or Desert Storm veterans from "Desert Storm" to "Desert Shield/Storm/Provide Comfort." The bill revises the conditions for issuance of those specialty license plates to require TxDMV to issue such specialty license plates for persons who served in the U.S. armed forces during the period beginning on August 2, 1990, and ending on November 30, 1995, and received

the National Defense Service Medal and for persons who served in the U.S. armed forces in a combat zone in support of Operation Desert Shield or Desert Storm during the period beginning on August 2, 1990, and ending on November 30, 1995, and received the Southwest Asia Service Medal.

C.S.H.B. 1273 requires the Korea Veteran, Vietnam Veteran, and Desert Shield/Storm/Provide Comfort specialty license plates to bear a depiction of the appropriate medal received. The bill includes an emblem from a Korea Veteran, Vietnam Veteran, Desert Shield/Storm/Provide Comfort, Operation Iraqi Freedom, Enduring Freedom, or Woman Veteran specialty license plate among the emblems that may be included, on request, on specialty license plates for a person entitled to a specialty license plate for veterans with disabilities.

C.S.H.B. 1273 establishes that TxDMV is not required to issue the specialty license plates under the bill's provisions until January 1, 2016.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1273 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 504.311, Transportation Code, is amended to read as follows:

Sec. 504.311. SERVICE IN KOREA [~~KOREAN WAR VETERANS~~]. (a) The department shall issue specialty license plates for persons who served in the United States armed forces:

(1) after June 26, 1950, and before February 1, 1955, and who received the National Defense Service Medal;

(2) in a combat zone in Korea during the period beginning on June 27, 1950, and ending on February 1, 1955, and who received the Korean Service Medal; and

(3) in the Korean Demilitarized Zone after February 1, 1955, and who received the Korean Defense Service Medal.

(b) License plates issued under this section must include the words "Korea Veteran[-]" and bear a depiction of the appropriate medal.

SECTION 2. Section 504.312, Transportation Code, is amended to read as

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 504.311, Transportation Code, is amended to read as follows:

Sec. 504.311. SERVICE IN KOREA [~~KOREAN WAR VETERANS~~]. (a) The department shall issue specialty license plates for persons who served in the United States armed forces:

(1) during the period beginning on June 27 [~~after June 26~~], 1950, and ending on July 27, 1954, and who received the National Defense Service Medal;

(2) in a combat zone in Korea during the period beginning on June 27, 1950, and ending on July 27, 1954, and who received the Korean Service Medal; or

(3) in the Korean Demilitarized Zone beginning on July 28, 1954, and who received the Korean Defense Service Medal [~~before February 1, 1955~~].

(b) License plates issued under this section must include the words "Korea Veteran[-]" and bear a depiction of the appropriate medal.

SECTION 2. Section 504.312, Transportation Code, is amended to read as

follows:

Sec. 504.312. VIETNAM VETERANS. (a) The department shall issue specialty license plates for persons who served in the United States armed forces ~~[during]:~~

(1) during the period beginning on January 1, 1961, and ending on August 14, 1974, and who received the National Defense Service Medal; or

(2) in a combat zone in the Republic of Vietnam during the period beginning on February 28, 1961, and ending on May 7, 1975, and who received the Vietnam Service Medal ~~[in the case of a veteran who served in the Republic of Vietnam during that period; or~~

~~[(2) the period beginning on August 5, 1964, and ending on May 7, 1975, in all other cases].~~

(b) License plates issued under this section must include the words "Vietnam Veteran[-]" and bear a depiction of the appropriate medal.

SECTION 3. Section 504.313, Transportation Code, is amended to read as follows:

Sec. 504.313. DESERT SHIELD OR DESERT STORM VETERANS. (a) The department shall issue specialty license plates for persons who served in the United States armed forces:

(1) during the period beginning on [after] August 2, [1,] 1990, and ending on November 30, 1995, and who received the National Defense Service Medal; or

(2) in a combat zone in support of Operation Desert Shield or Desert Storm during the period beginning on August 2, 1990, and ending on November 30, 1995, and who received the Southwest Asia Service Medal ~~[before April 12, 1991].~~

(b) License plates issued under this section must include the words "Desert Storm[-]" and bear a depiction of the appropriate medal.

SECTION 4. Section 504.202(e-1), Transportation Code, is amended.

No equivalent provision.

84R 21804

Substitute Document Number: 84R 10816

follows:

Sec. 504.312. VIETNAM VETERANS. (a) The department shall issue specialty license plates for persons who served in the United States armed forces ~~[during]:~~

(1) during the period beginning on January 1, 1961, and ending on August 14, 1974, and who received the National Defense Service Medal; or

(2) in a combat zone in the Republic of Vietnam during the period beginning on July 1, 1958 ~~[February 28, 1961], and ending on March 28, 1973, and who received the Vietnam Service Medal ~~[May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period; or~~~~

~~[(2) the period beginning on August 5, 1964, and ending on May 7, 1975, in all other cases].~~

(b) License plates issued under this section must include the words "Vietnam Veteran[-]" and bear a depiction of the appropriate medal.

SECTION 3. Section 504.313, Transportation Code, is amended to read as follows:

Sec. 504.313. DESERT SHIELD OR DESERT STORM VETERANS. (a) The department shall issue specialty license plates for persons who served in the United States armed forces:

(1) during the period beginning on [after] August 2, [1,] 1990, and ending on November 30, 1995, and who received the National Defense Service Medal; or

(2) in a combat zone in support of Operation Desert Shield or Desert Storm during the period beginning on August 2, 1990, and ending on November 30, 1995, and who received the Southwest Asia Service Medal ~~[before April 12, 1991].~~

(b) License plates issued under this section must include the words "Desert Shield/Storm/Provide Comfort[-]" and bear a depiction of the appropriate medal.

SECTION 4. Same as introduced version.

SECTION 5. The Texas Department of

15.98.855

Motor Vehicles is not required to issue specialty license plates under Sections 504.311, 504.312, and 504.313, Transportation Code, as amended by this Act, until January 1, 2016.

SECTION 5. This Act takes effect September 1, 2015.

SECTION 6. Same as introduced version.