

By: Flynn

H.B. No. 206

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Veterans Land Board.

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

Chapter 161. Veterans Land Board

Subchapter A, SECTION 161.001, is amended to read as follows:

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 161.001. DEFINITIONS. (a) In this chapter:

(1) "Board" means the Veterans' Land Board.

(2) "Commissioner" means the Commissioner of the General Land Office.

(3) "Land office" means the General Land Office.

(4) "Program" means the Veterans' Land Program.

(5) "Fund" means the veterans' land fund.

(6) "Bonds" means general obligation bonds issued by the board for the purpose of funding the program.

(7) "Veteran" means a person who:

(A)(i) served not less than 90 days, unless sooner discharged by reason of a service-connected disability, on active duty in the Army, Navy, Air Force, Coast Guard, United States Public Health Service (as constituted under 42 U.S.C. Section 201 et seq.), or Marine Corps of the United States after September 16, 1940, and who on the date of filing an application under the program has not been dishonorably discharged from the branch of the service in which the person served;

1 (ii) has at least 20 years of active or
2 reserve military service as computed when determining the person's
3 eligibility to receive retired pay under applicable federal law;

4 (iii) has enlisted or received an
5 appointment in the Texas National Guard, who has completed all
6 initial active duty training required as a condition of the
7 enlistment or appointment, and who on the date of filing the
8 person's application has not been dishonorably discharged from the
9 Texas National Guard; ~~or~~

10 (iv) served in the armed forces of the
11 Republic of Vietnam between February 28, 1961, and May 7, 1975, if
12 the board adopts a rule regarding these veterans under Subsection
13 (b); or

14 (v) has at least 15 years of active or
15 reserve state military service as a member of the Texas State
16 Guard;

17 (B) at the time of the person's enlistment,
18 induction, commissioning, appointment, or drafting was a bona fide
19 resident of this state or has resided in this state at least one
20 year immediately before the date of filing an application under
21 this chapter; and

22 (C) at the time of the person's application under
23 this chapter is a bona fide resident of this state. The term
24 includes the unmarried surviving spouse of a veteran who died or who
25 is identified as missing in action if the deceased or missing
26 veteran meets the requirements of this section, with the exception
27 that the deceased or missing veteran need not have served 90 days

1 under Paragraph (A)(i) of this subdivision, and if the deceased or
2 missing veteran was a bona fide resident of this state at the time
3 of enlistment, induction, commissioning, appointment, or drafting.

4 (8) "Commission" means the Texas Veterans Commission.

5 (b) Notwithstanding Subdivision (7) of Subsection (a) of
6 this section, the board may by rule change the definition of
7 "veteran" as necessary or appropriate to protect the best interests
8 of the program. If the board adopts a rule to change the definition
9 of "veteran" to include a person who served in the armed forces of
10 the Republic of Vietnam between February 28, 1961, and May 7, 1975,
11 the rule must include procedures for establishing proof of that
12 service.

13 (c) For purposes of this section, a person who has been
14 discharged from the branch of the service in which the person served
15 or from the ~~Texas National Guard~~ State Military Forces is
16 considered not to have been dishonorably discharged if the person:

- 17 (1) received an honorable discharge;
18 (2) received a discharge under honorable conditions;

19 or

20 (3) received a discharge and provides evidence from
21 the United States Department of Veterans Affairs, its successor, or
22 other competent authority that indicates that the character of the
23 person's duty has been determined to be other than dishonorable.

24 ARTICLE 4. EFFECTIVE DATE

25 SECTION 4.01. This Act takes effect September 1, 2017.