

By: Guillen, Tinderholt, et al.

H.B. No. 676

A BILL TO BE ENTITLED

AN ACT

relating to the entitlement of spouses of certain veterans with disabilities to a veteran's employment preference.

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

SECTION 1. Section 657.002, Government Code, is amended to read as follows:

Sec. 657.002. INDIVIDUALS QUALIFIED FOR VETERAN'S EMPLOYMENT PREFERENCE. The following individuals qualify for a veteran's employment preference:

(1) a veteran, including a veteran with a disability;

(2) a veteran's surviving spouse who has not remarried; ~~and~~

(3) an orphan of a veteran if the veteran was killed while on active duty; and

(4) the spouse of a veteran with a disability if the veteran:

(A) has a total disability rating based either on having a service-connected disability with a disability rating of 100 percent or on individual unemployability; and

(B) is receiving Supplemental Security Income (SSI) benefits under 42 U.S.C. Section 1381 et seq. or Social Security Disability Insurance (SSDI) benefits under 42 U.S.C. Section 401 et seq.

SECTION 2. Section 657.003(b), Government Code, is amended

1 to read as follows:

2 (b) A state agency shall provide to an individual entitled
3 to a veteran's employment preference for employment or appointment
4 over other applicants for the same position who do not have a
5 greater qualification a veteran's employment preference, in the
6 following order of priority:

7 (1) a veteran with a disability;

8 (2) a veteran;

9 (3) a spouse of a veteran with a disability as
10 described by Section 657.002(4);

11 (4) a veteran's surviving spouse who has not
12 remarried; and

13 (5) [~~4~~] an orphan of a veteran if the veteran was
14 killed while on active duty.

15 SECTION 3. Section 657.005(b), Government Code, is amended
16 to read as follows:

17 (b) An applicant who is either a veteran with a disability
18 or a spouse of a veteran with a disability as described by Section
19 657.002(4) shall furnish the official records to the individual
20 whose duty is to fill the position.

21 SECTION 4. The changes in law made by this Act apply only to
22 an open position with a state agency for which the state agency
23 begins accepting applications on or after the effective date of
24 this Act. An open position with a state agency for which the state
25 agency begins accepting applications before the effective date of
26 this Act is governed by the law in effect on the date the state
27 agency began accepting applications, and the former law is

1 continued in effect for that purpose.

2 SECTION 5. This Act takes effect September 1, 2019.