

By: Guillen

H.B. No. 676

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the entitlement of spouses of certain veterans with
3 disabilities to a veteran's employment preference.

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

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

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

- 10 (1) a veteran, including a veteran with a disability;
- 11 (2) a veteran's surviving spouse who has not
12 remarried; ~~and~~
- 13 (3) an orphan of a veteran if the veteran was killed
14 while on active duty; and
- 15 (4) the spouse of a veteran with a disability if:
- 16 (A) the veteran has a total disability rating
17 based either on having a service-connected disability with a
18 disability rating of 100 percent or on individual unemployability;
- 19 (B) the veteran is receiving Supplemental
20 Security Income (SSI) benefits under 42 U.S.C. Section 1381 et seq.
21 or Social Security Disability Insurance (SSDI) benefits under 42
22 U.S.C. Section 401 et seq.; and
- 23 (C) the spouse was married to the veteran at the
24 time the veteran separated from the armed services.

1 SECTION 2. Section 657.003(b), Government Code, is amended
2 to read as follows:

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

8 (1) a veteran with a disability;

9 (2) a veteran;

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

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

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

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

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

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

1 agency began accepting applications, and the former law is
2 continued in effect for that purpose.

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