

By: Guillen

H.B. No. 1208

A BILL TO BE ENTITLED

AN ACT

relating to a state employment preference for certain individuals who reside with veterans with a disability.

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) an individual who resides in a household with a veteran if the individual is the primary source of income for the household and 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.

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 veteran's surviving spouse who has not
11 remarried; ~~and~~

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

14 (5) an individual who resides with a veteran with a
15 disability as described by Section 657.002(4) if the individual is
16 the primary source of income for the veteran's household.

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

19 (b) An applicant who is either a veteran with a disability
20 as described by Section 657.002(4) or an individual who resides
21 with a veteran with a disability as described by Section 657.002(4)
22 if the individual is the primary source of income for the veteran's
23 household shall furnish the official records to the individual
24 whose duty is to fill the position.

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

1 this Act. An open position with a state agency for which the state
2 agency begins accepting applications before the effective date of
3 this Act is governed by the law in effect on the date the state
4 agency began accepting applications, and the former law is
5 continued in effect for that purpose.

6 SECTION 5. This Act takes effect September 1, 2021.