

## **BILL ANALYSIS**

C.S.S.B. 1376  
By: Parker  
Defense & Veterans' Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The spouse of a veteran with an unemployability rating will, in most situations, be the primary income provider for the veteran's family. The 84th Legislature passed S.B. 805, the Military Veterans Full Employment Act, which expanded application of the veterans employment preference and established a goal for state agencies to have 20 percent of their workforces composed of veterans. Since Governor Greg Abbott signed the bill into law in 2015, state agencies have made limited progress in reaching that 20 percent goal. C.S.S.B. 1376 seeks to address these issues by providing for the eligibility of the spouse of an active duty service member for the veterans employment preference.

### **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.S.B. 1376 amends the Government Code to entitle the spouse of a member of the U.S. armed forces or Texas National Guard serving on active duty to an employment preference for purposes of employment with or appointment to an applicable state agency. The bill grants the spouse priority for that preference after a veteran, with or without a disability, and before a qualifying surviving spouse or qualifying orphan of a veteran. The bill replaces references to a veterans employment preference with references to a military employment preference and includes military members and their dependents among the persons served by the designated veteran's liaison at each applicable state agency.

C.S.S.B. 1376 amends the Penal Code to make a conforming change.

C.S.S.B. 1376 applies only to an open position with a state agency for which the state agency begins accepting applications on or after the bill's effective date. An open position with a state agency for which the state agency begins accepting applications before the bill's effective date is governed by the law in effect on the date the state agency began accepting applications, and the former law is continued in effect for that purpose.

### **EFFECTIVE DATE**

September 1, 2023.

## **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 1376 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

Whereas the engrossed provided an employment preference for the spouse of a veteran if the spouse is the primary source of income for the household and the veteran has a total disability rating based either on having a service-connected disability with a disability rating of at least 70 percent or on individual unemployability, the substitute provides an employment preference for the spouse of a member of the U.S. armed forces or Texas National Guard serving on active duty. Accordingly, the engrossed and substitute also differ as follows:

- the substitute omits a provision from the engrossed that made the requirement for a veteran with a disability who applies for a position with a state agency to furnish the official records to the individual whose duty is to fill the position also applicable to an eligible spouse of a veteran with a disability;
- the substitute replaces references to a veterans employment preference with references to a military employment preference and includes military members and their dependents among the individuals served by the designated veteran's liaison at each applicable state agency, whereas the engrossed did not; and
- whereas the engrossed granted an eligible spouse of a veteran with a disability priority for the employment preference after all other eligible persons, the substitute grants an eligible spouse of an active duty member priority after a veteran, with or without a disability, and before a qualifying surviving spouse or qualifying orphan of a veteran.