

## **BILL ANALYSIS**

Senate Research Center  
88R11076 LRM-D

S.B. 1376  
By: Parker  
Veteran Affairs  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Over 34 percent of veterans in Texas have a Department of Veteran Affairs disability rating between 70 to 100 percent, with an estimated 12-14 percent having an individual unemployability rating, and their spouses are often the primary income providers.

Providing greater opportunities for sustainable income and improved quality of life for veterans and their families would be possible by transferring veteran hiring preferences for veterans with an unemployability rating to the veteran's spouse.

Aligning the state veteran preference with the federal program will reduce confusion and ensure the best interest of veterans by allowing transfer of the veterans hiring preference if the veteran is deemed unemployable by the Department of Veteran Affairs.

S.B. 1376 eligibility requirements for the spouse/dependents would align with S.B. 805 from the 84th Session. This benefit aligns with the Gold Star Fathers Act of 2015, which extended hiring preferences for federal civil positions to fathers.

S.B. 1376 seeks to allow the spouse, widow, or widower of a veteran to claim the preference if the veteran is unable to use it.

S.B. 1376 would allow online certification and consent form would allow veterans to transfer veterans hiring preference benefits to their spouse and inform agencies of the transfer. The form, signed by the veteran and presented with the spouse's employment application, would require the veteran to provide a Department of Veteran Affairs Summary of Benefits Letter. This process would be similar to the Hazlewood Act Exemption benefit transfer process for veterans.

As proposed, S.B. 1376 amends current law relating to a state employment preference for certain spouses of veterans with a disability.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 657.002, Government Code, as follows:

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

- (1) makes no changes to this subdivision;
- (2)-(3) makes nonsubstantive changes to these subdivisions; and
- (4) 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.

SECTION 2. Amends Section 657.003(b), Government Code, as follows:

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

(1)-(2) makes no changes to these subdivisions;

(3)-(4) makes nonsubstantive changes to these subdivisions; and

(5) the spouse of a veteran with a disability as described by Section 657.002(4) if the spouse is the primary source of income for the veteran's household.

SECTION 3. Amends Section 657.005(b), Government Code, as follows:

(b) Requires an applicant who is either a veteran with a disability as described by Section 657.002(4) or the spouse of a veteran with a disability as described by Section 657.002(4) if the spouse is the primary source of income for the veteran's household to furnish the official records to the individual whose duty is to fill the position in a form and manner that demonstrates to the satisfaction of the individual that the applicant is entitled to the employment preference.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2023.