

BILL ANALYSIS

Senate Research Center

S.B. 1859
By: Hancock
Veteran Affairs
5/25/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1850 makes minor changes to the Government Code relating to the Texas Veterans Commission to update unnecessary or out-of-date language.

S.B. 1859 amends current law relating to benefits and services for veterans and certain other related benefits.

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 Sections 434.0078(a), (c), and (e), Government Code, as follows:

(a) Requires that the procedures adopted by the Texas Veterans Commission (TVC) for administering claims assistance services include:

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

(3) a procedure for advising, rather than counseling, veterans on the potential merits or drawbacks of pursuing a claim;

(4)-(5) makes no changes to these subdivisions;

(6) a requirement that a claims benefit advisor, rather than a claims counselor, report to the United States Department of Veterans Affairs if the advisor, rather than the counselor, has direct knowledge that a claim contains false or deceptive information; and

(7) makes no changes to this subdivision.

(c) Requires TVC to regularly evaluate claims assistance services staffing to determine where advisors, rather than counselors, and special team staff are most needed.

(e) Deletes existing text requiring TVC to, at a minimum, track and evaluate the following information by claims district: the quality of claims submitted to the state strike force team; the percentage of claims developed through claims assistance services that are processed as fully developed claims by the United States Department of Veterans Affairs; and the success rate of claims and appeals developed through claims assistance services. Makes nonsubstantive changes.

SECTION 2. Amends Section 434.018, Government Code, as follows:

Sec. 434.018. PERFORMANCE INCENTIVE AWARD. (a) Authorizes TVC to make a monetary performance incentive award to an individual or an entity for providing

services to veterans as authorized by Section 3(a) of the federal Jobs for Veterans Act (38 U.S.C. Section 4112).

(b) Redesignates existing Subsection (c) as Subsection (b). Deletes existing text authorizing the performance incentive award to be monetary or nonmonetary.

SECTION 3. Amends Sections 434.104(a), (b), (c), and (e), Government Code, as follows:

(a) Requires TVC to make a printable version of the veterans benefits booklet available to certain entities, rather than an electronic version of the booklet and provide a printed copy and an electronic version to certain persons. Makes nonsubstantive changes.

(b) Provides that a veterans county service officer is encouraged to inform, rather than to distribute a copy of the booklet to, any person who claims or will claim Texas as a residence after discharge from the United States armed forces how to access the electronic state veterans benefits booklet.

(c) Requires each veterans county service officer to provide access to the electronic state veterans benefits booklet at the veterans county service office, rather than to make a copy of the booklet available at the veterans county service office.

(e) Requires TVC to make the electronic state veterans benefits booklet available on TVC's website, rather than to provide an electronic version of the booklet on TVC's website.

SECTION 4. Amends Section 434.153, Government Code, as follows:

Sec. 434.153. COMPOSITION OF COUNCIL. Provides that the Texas Coordinating Council for Veteran Services (council) is composed of the director or executive head of certain entities, or that person's designated representative, including the Texas Commission on Law Enforcement, rather than the Commission of Law Enforcement Officer Standards and Education.

Deletes existing text providing that the council includes the director or executive head of the Department of Aging and Disability Services and the Department of Assistive and Rehabilitative Services. Makes nonsubstantive changes.

SECTION 5. Repealers: Section 54.344 (Participation in Military Funerals), Education Code, and Section 434.0072 ("TAPS" Tuition Voucher Program), Government Code.

Repealers: Sections 434.0078(f) (relating to requiring TVC to include in a consolidated report certain information) and 434.106 (Donations; Computers for Veterans County Service Officers), Government Code.

SECTION 6. Effective date: September 1, 2023.