

## **BILL ANALYSIS**

Senate Research Center  
88R5625 CXP-D

S.B. 1859  
By: Hancock  
Veteran Affairs  
3/31/2023  
As Filed

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1850 makes minor changes to the Government Code relating to the Texas Veterans Commission to update unnecessary or out-of-date language.

As proposed, 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) 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 a than 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 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) Creates this subsection from existing text. 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 booklet. Makes nonsubstantive changes.

(b) Provides that a veterans county service officer is encouraged to inform, rather than 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 requiring each county service officer 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 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 the following entities, or that person's designated representative:

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

(8) creates this subdivision from existing text;

(9)-(15) redesignates Subdivisions (11)-(17) as (9)-(15);

(16) the Texas Commission on Law Enforcement, rather than the Officer Standards and Education;

(17)-(20) redesignates Subdivisions (19)-(22) as (17)-(20).

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.

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

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

SECTION 6. Effective date September 1, 2023.