

By: Hancock

S.B. No. 1591

A BILL TO BE ENTITLED

# 1 AN ACT

2 relating to the provision of claims assistance services to  
3 veterans.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 434.0078, Government Code, is amended by  
6 adding Subsections (f) and (g) to read as follows:

7       (f) The commission may contract with the following persons  
8 to provide claims assistance services under Section 434.007(a)(5),  
9 including federal appellate litigation services at the United  
10 States Court of Appeals for Veterans Claims:

13 (A) has at least 10 years of experience  
14 representing veterans in disability cases before the United States  
15 Department of Veterans Affairs based on a VA Form 21-22a appointing  
16 at least one attorney employed by the firm as the claimant's  
17 representative of record;

18 (B) has a principal owner or practice section  
19 chairperson licensed to practice before the United States Court of  
20 Appeals for Veterans Claims who:

21 (i) has entered appearances in at least 750  
22 cases at the United States Court of Appeals for Veterans Claims; and

13 (A) has at least 10 years of experience  
14 representing veterans in disability cases before the United States  
15 Department of Veterans Affairs based on a VA Form 21-22 appointing  
16 the organization as the claimant's representative organization of  
17 record;

18 (B) employs at least one attorney licensed to  
19 practice before the United States Court of Appeals for Veterans  
20 Claims who:

21 (i) has entered appearances in at least 750  
22 cases at the United States Court of Appeals for Veterans Claims; and  
23 (ii) is an accredited representative with  
24 the United States Department of Veterans Affairs;

27 (D) maintains a physical office in this state and

1 has maintained a physical office in this state for at least one year  
2 immediately preceding the date on which the organization enters  
3 into a contract with the commission to provide services under this  
4 subsection.

5 (g) Services provided under Subsection (f) must be provided  
6 as follows:

7 (1) for representation before the United States Court  
8 of Appeals for Veterans Claims following an adverse decision at the  
9 Board of Veterans' Appeals, representation is free of charge to the  
10 claimant and the state if the claimant's net worth is less than \$2  
11 million;

12 (2) for appeals or supplemental claims following an  
13 initial denial or a remand from the United States Court of Appeals  
14 for Veterans Claims, a person described by Subsection (f) may  
15 charge a claimant a reasonable fee, as defined by applicable  
16 federal statutes and regulations, including the factors and  
17 presumptions specified by 38 C.F.R. Section 14.636, that does not  
18 exceed 33 percent of the claimant's past due benefits;

19 (3) a fee may not be charged to a claimant for  
20 preparing and filing initial claims with the United States  
21 Department of Veterans Affairs; and

22 (4) fees or costs may not be charged to the state by a  
23 person described by Subsection (f).

24 SECTION 2. This Act takes effect September 1, 2025.