

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas


May 30, 2009
Date

Honorable David Dewhurst
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. 3872 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.



Senator Estes, Chair

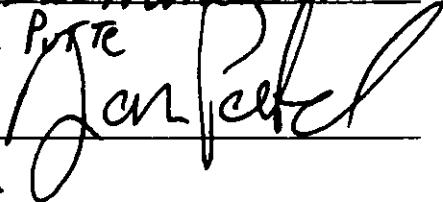


Representative Gattis, Chair

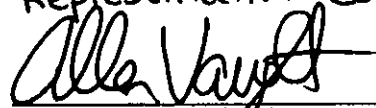


Sen. VAN de PUTTE

Representative Cortez



Sen. Patrick



Representative Vaught



Representative Sheffield

Sen. Lucio



On the part of the House
Representative Kleinschmidt

Sen. Jackson On the part of the Senate

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 3872

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the qualifications to be a veterans county service
3 officer.

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

5 SECTION 1. Section 434.033(b), Government Code, is amended
6 to read as follows:

7 (b) To be appointed as an officer a person must:

8 (1) be qualified by education and training for the
9 duties of the office;

10 (2) be experienced in the law, regulations, and
11 rulings of the United States Department of Veterans Affairs
12 controlling cases that come before the commission; and

13 (3) have the service experience specified by
14 Subsection (c) or be:

15 (A) a widowed Gold Star Mother or unremarried
16 widow of a serviceman or veteran whose death resulted from service;
17 or

18 (B) the spouse of a disabled veteran who has a
19 total disability rating based either on having a service-connected
20 disability with a disability rating of 100 percent or on individual
21 unemployability.

22 SECTION 2. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

House Bill 3872
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

SECTION 1. Amends Section 434.033(b), Government Code, to authorize the appointment of, as a veterans county service officer, the spouse of a disabled veteran who has a total disability rating based either on having a service-connected disability with a disability rating of 100 percent or on individual unemployability.

SECTION 1. Same as House version.

SECTION 1. Same as House version.

No equivalent provision.

SECTION ___. Amends Chapter 657, Government Code, relating to veteran's employment preferences, by designating Sections 657.001 through 657.009 as Subchapter A and adding a heading for Subchapter A, General Provisions.

Same as House version.

No equivalent provision.

SECTION ___. Amends Section 657.001, Government Code, relating to veteran's employment preferences, by amending Subdivision (2) and adding Subdivision (3) to add a definition of "minimum qualifications" and to revise the definition of "public entity."

Same as House version.

No equivalent provision.

SECTION ___. Amends Subchapter A, Chapter 657, Government Code, as added by the bill, by adding Section 657.0015, Exceptions, specifying exceptions to the applicability of Chapter 657 on veteran's employment preferences.

Same as House version.

No equivalent provision.

SECTION ___. Amends Sections 657.002(a) and (b), Government Code, relating to qualification for a veteran's employment preference.

Same as House version.

No equivalent provision.

SECTION ___. Amends Sections 657.003(a) and (b),

Same as House version.

House Bill 3872
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

Government Code, relating to the nature of the veteran's employment preference.

No equivalent provision.

SECTION ___. Amends Section 657.005(a), Government Code, relating to an employment investigation with respect to a veteran's employment preference.

Same as House version.

No equivalent provision.

SECTION ___. Amends Section 657.007(b), Government Code, relating to a veteran's employment preference as applicable to a public entity that reduces its workforce.

Same as House version.

No equivalent provision.

SECTION ___. Amends Section 657.008, Government Code, relating to certain reporting requirements concerning the veteran's employment preference.

Same as House version.

No equivalent provision.

SECTION ___. Adds Sections 657.051 and 657.052, Government Code, relating to complaints to a public entity regarding a veteran's employment preference, and Sections 657.101 and 657.102, Government Code, regarding a hearing on such a complaint.

Same as House version.

No equivalent provision.

SECTION ___. Repeals Section 657.010, Government Code, relating to an appeal regarding the veteran's employment preference through the filing of a written complaint with the governing body of a public entity.

Same as House version.

No equivalent provision.

SECTION ___. Savings provision with respect to the changes to Chapter 657, Government Code.

Same as House version.

No equivalent provision.

SECTION ___. Relating to the applicability of the

Same as House version.

House Bill 3872
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

changes made to Chapter 657, Government Code.

SECTION __. Effective date of September 1, 2009.

SECTION 2. Same as House version.

Same as House version.

SECTION 2. Same as House version.

No equivalent provision.

SECTION 2. Immediate effective date if the requisite two-thirds votes. Otherwise, effective date of September 1, 2009.

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 30, 2009

**TO: Honorable David Dewhurst , Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives**

FROM: John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB3872 by Gattis (relating to the qualifications to be a veterans county service officer.),
Conference Committee Report**

No fiscal implication to the State is anticipated.

The bill would allow the spouse of a disabled veteran to be appointed as a veterans county service officer.

Local Government Impact

No fiscal implication to units of local government is anticipated.


Source Agencies: 403 Veterans Commission

LBB Staff: JOB, KK, JM

Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 3872 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.



(name)

May 30, 2009
(date)