

GOVERNMENT CODE

TITLE 4. EXECUTIVE BRANCH

SUBTITLE C. STATE MILITARY FORCES AND VETERANS

CHAPTER 434. VETERAN ASSISTANCE AGENCIES

SUBCHAPTER A. TEXAS VETERANS COMMISSION

Sec. 434.001. COMMISSION. The Texas Veterans Commission is an agency of the state.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Sec. 434.002. APPLICATION OF SUNSET, OPEN MEETINGS, AND ADMINISTRATIVE PROCEDURE LAWS. (a) The Texas Veterans Commission is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished September 1, 2031.

(b) The commission is subject to Chapter [551](#), and Chapter [2001](#).

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1991, 72nd Leg., 1st C.S., ch. 17, Sec. 3.07, eff. Nov. 12, 1991; Acts 1995, 74th Leg., ch. 76, Sec. 5.95(50), (83), eff. Sept. 1, 1995; Acts 1995, 74th Leg., ch. 970, Sec. 2.02, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1169, Sec. 2.02, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 1481, Sec. 2.03, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 1112, Sec. 2.01, eff. Sept. 1, 2003.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. [3426](#)), Sec. 1, eff. September 1, 2007.

Acts 2011, 82nd Leg., R.S., Ch. 1232 (S.B. [652](#)), Sec. 4.03, eff. June 17, 2011.

Acts 2019, 86th Leg., R.S., Ch. 593 (S.B. [601](#)), Sec. 1, eff. September 1, 2019.

Sec. 434.003. MEMBERS. (a) The commission is composed of five members appointed by the governor with the advice and consent of the senate. The governor shall make each appointment without

regard to the race, color, disability, sex, religion, age, or national origin of the appointee.

(b) A member must be a citizen and resident of the state. At least three members must have been honorably discharged or honorably released from active military service of the United States. At least one member must be a person classified as a disabled veteran by the United States Veterans Administration or the branch of the United States armed forces in which the person served. This person's disability must be service-connected and compensable.

(c) A person having a less than honorable discharge from military service is not eligible to be a member. No two members may reside in the same senatorial district.

(d) Members are appointed for staggered six-year terms.

(e) A person may not be a member of the commission if the person or the person's spouse:

(1) is employed by or participates in the management of a business entity or other organization, other than a veterans service organization, receiving money from the commission; or

(2) owns or controls, directly or indirectly, more than a 10 percent interest in a business entity or other organization receiving money from the commission.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 2003, 78th Leg., ch. 1170, Sec. 45.01, eff. Sept. 1, 2003; Acts 2003, 78th Leg., 3rd C.S., ch. 3, Sec. 12.01, eff. Jan. 11, 2004.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. [3426](#)), Sec. 2, eff. September 1, 2007.

Sec. 434.004. CONFLICT OF INTEREST. (a) In this section, "Texas trade association" means a cooperative and voluntarily joined statewide association of business or professional competitors in this state designed to assist its members and its industry or profession in dealing with mutual business or professional problems and in promoting their common interest.

(b) A person may not be a commission employee employed in a

"bona fide executive, administrative, or professional capacity," as that phrase is used for purposes of establishing an exemption to the overtime provisions of the federal Fair Labor Standards Act of 1938 (29 U.S.C. Section 201 et seq.), if:

(1) the person is an officer, employee, or paid consultant of a Texas or national veterans service organization or a Texas trade association in the field of labor, workforce development, or career schools and colleges; or

(2) the person's spouse is an officer, manager, or paid consultant of a Texas or national veterans service organization or a Texas trade association in the field of labor, workforce development, or career schools and colleges.

(c) A person may not serve as a member of the commission if:

(1) the person is an officer, employee, or paid consultant of a Texas trade association in the field of labor, workforce development, or career schools and colleges; or

(2) the person's spouse is an officer, manager, or paid consultant of a Texas trade association in the field of labor, workforce development, or career schools and colleges.

(d) A person required to register as a lobbyist under Chapter 305 because of activities on behalf of a veterans association may not serve as a member of or as general counsel to the commission.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. 3426), Sec. 3, eff. September 1, 2007.

Sec. 434.005. REMOVAL. (a) It is a ground for removal from the commission if a member:

(1) does not have at the time of taking office, or does not maintain during the service on the commission, the qualifications required by Section 434.003 for appointment to the commission;

(2) violates a prohibition under Section 434.004;

(3) fails to attend at least half of the regularly scheduled commission meetings held in a calendar year, excluding

meetings held while the person was not a member of the commission without an excuse approved by a majority vote of the commission; or

(4) cannot, because of illness or disability, discharge the member's duties for a substantial part of the member's term.

(b) The validity of an action of the commission is not affected by the fact that it is taken when a ground for removal of a commission member exists.

(c) If the executive director has knowledge that a potential ground for removal exists, the executive director shall notify the presiding officer of the commission of the potential ground. The presiding officer shall then notify the governor and the attorney general that a potential ground for removal exists. If the potential ground for removal involves the presiding officer, the executive director shall notify the next highest ranking officer of the commission, who shall then notify the governor and the attorney general that a potential ground for removal exists.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. [3426](#)), Sec. 4, eff. September 1, 2007.

Sec. 434.006. OFFICERS; COMMISSION ACTIONS. (a) The governor shall designate a member of the commission as the presiding officer of the commission to serve in that capacity at the pleasure of the governor.

(b) The commission annually shall elect from among its members an assistant presiding officer and a secretary. An officer shall serve until the officer's successor is appointed and qualified.

(c) The commission shall meet at least once in each three-month period. No action may be taken by less than a majority of the commission.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. [3426](#)), Sec. 5, eff. September 1, 2007.

Sec. 434.0061. TRAINING. (a) A person who is appointed to and qualifies for office as a member of the commission may not vote, deliberate, or be counted as a member in attendance at a meeting of the commission until the person completes a training program that complies with this section.

(b) The training program must provide the person with information regarding:

(1) the law governing commission operations;

(2) the programs, functions, rules, and budget of the commission;

(3) the results of the most recent formal audit of the commission;

(4) the requirements of:

(A) laws relating to open meetings, public information, administrative procedure, and disclosure of conflicts of interest; and

(B) other laws applicable to members of a state policymaking body in performing their duties;

(5) any applicable ethics policies adopted by the commission or the Texas Ethics Commission; and

(6) the scope of and limitations on the rulemaking authority of the commission.

(c) A person appointed to the commission is entitled to reimbursement, as provided by the General Appropriations Act, for the travel expenses incurred in attending the training program regardless of whether the attendance at the program occurs before or after the person qualifies for office.

(d) The executive director of the commission shall create a training manual that includes the information required by Subsection (b). The executive director shall distribute a copy of the training manual annually to each member of the commission. Each member of the commission shall sign and submit to the executive director a statement acknowledging that the member received and has reviewed the training manual.

Added by Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. [3426](#)), Sec. 6, eff. September 1, 2007.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 593 (S.B. 601), Sec. 2, eff. September 1, 2019.

Sec. 434.007. DUTIES. (a) The commission shall:

(1) compile federal, state, and local laws enacted to benefit members of the armed forces, veterans, and their families and dependents;

(2) collect information relating to services and facilities available to veterans;

(3) cooperate with veterans service agencies in the state;

(4) inform members and veterans of the armed forces, their families and dependents, and military and civilian authorities about the existence or availability of:

(A) educational training and retraining facilities;

(B) health, medical, rehabilitation, and housing services and facilities;

(C) employment and reemployment services;

(D) provisions of federal, state, and local law affording rights, privileges, and benefits to members and veterans of the armed forces and their families and dependents; and

(E) other similar, related, or appropriate matters;

(5) assist veterans and their families and dependents in presenting, proving, and establishing claims, privileges, rights, and benefits they may have under federal, state, or local law;

(6) cooperate with all government and private agencies securing services or benefits to veterans and their families and dependents;

(7) investigate, and if possible correct, abuses or exploitation of veterans or their families or dependents, and recommend necessary legislation for full correction;

(8) coordinate the services and activities of state departments and divisions having services and resources affecting

veterans or their families or dependents;

(9) provide training and certification of veterans county service officers and assistant veterans county service officers in accordance with Section [434.038](#);

(10) through surveys or other reasonable and accurate methods of estimation, collect and maintain for each county in the state the number of servicemembers and veterans residing in the county and annually update and publish the information on the commission's website;

(11) with the assistance and cooperation of the comptroller, inform and assist veterans and their families and dependents with respect to discovering and initiating claims for unclaimed property held by the United States Department of Veterans Affairs;

(12) annually evaluate and set priorities for each program administered by the commission to meet the changing needs of veterans in this state;

(13) annually set concrete goals for staff and measure the staff's performance; and

(14) establish success measures and corresponding targets for each program administered by the commission and report the program's progress in meeting the measures and targets in:

(A) any annual internal report for that program; and

(B) the commission's strategic plan under Section [2056.002](#).

(b) In setting priorities under Subsection (a)(12), the commission shall consider:

(1) the existing strategic plan under Section [2056.002](#) and the needs assessment under Section [434.017\(c-1\)](#);

(2) complaint data;

(3) performance outcomes;

(4) veteran survey results;

(5) staff input; and

(6) any other available information.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 364, Sec. 1, eff. Sept. 1, 1989.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1381 (S.B. [1058](#)), Sec. 3, eff. September 1, 2007.

Acts 2011, 82nd Leg., R.S., Ch. 453 (S.B. [1660](#)), Sec. 1, eff. June 17, 2011.

Acts 2019, 86th Leg., R.S., Ch. 593 (S.B. [601](#)), Sec. 3, eff. September 1, 2019.

Sec. 434.0071. MEMORANDUM OF UNDERSTANDING. The commission shall adopt a joint memorandum of understanding with the following governmental entities to coordinate the provision of services to state military veterans:

- (1) the Texas Workforce Commission;
- (2) the Veterans' Land Board; and
- (3) any other agency of the state that administers a program applicable only to veterans or the family members of veterans.

Added by Acts 2001, 77th Leg., ch. 175, Sec. 1, eff. May 18, 2001.

Sec. 434.0072. "TAPS" TUITION VOUCHER PROGRAM. (a) In this section, "institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section [61.003](#), Education Code.

(b) The commission shall establish a program to issue vouchers to be exchanged for an exemption from the payment of tuition and required fees at an institution of higher education as provided by Section [54.344](#), Education Code, to students in grades 6 through 12 or at postsecondary educational institutions who sound "Taps" on a bugle, trumpet, or cornet during military honors funerals held in this state for deceased veterans. A voucher must be issued in the amount of \$25 for each time a student sounds "Taps" as described by this subsection.

(c) The commission by rule shall design a form for the vouchers and distribute the form, with an explanation of the form's use, to each funeral director in this state for issuance to a person who is eligible to receive a voucher under this section. The commission may not charge a fee for distribution of the form.

(d) The commission shall encourage a private or independent institution of higher education to grant a tuition and fee exemption in exchange for a voucher.

(e) A voucher issued under this section may be used by the student at any time and is not transferable.

Added by Acts 2007, 80th Leg., R.S., Ch. 660 (H.B. [1187](#)), Sec. 1, eff. June 15, 2007.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 359 (S.B. [32](#)), Sec. 13, eff. January 1, 2012.

Sec. 434.0076. RECORD OF COMPLAINTS. (a) The commission shall maintain a system to promptly and efficiently act on complaints filed with the commission. The commission shall maintain information about parties to the complaint, the subject matter of the complaint, a summary of the results of the review or investigation of the complaint, and its disposition.

(b) The commission shall make information available describing its procedures for complaint investigation and resolution.

(c) The commission shall periodically notify the complaint parties of the status of the complaint until final disposition.

Added by Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. [3426](#)), Sec. 7, eff. September 1, 2007.

Sec. 434.0077. NEGOTIATED RULEMAKING AND ALTERNATIVE DISPUTE RESOLUTION PROCEDURES. (a) The commission shall develop and implement a policy to encourage the use of:

(1) negotiated rulemaking procedures under Chapter [2008](#) for the adoption of commission rules; and

(2) appropriate alternative dispute resolution procedures under Chapter [2009](#) to assist in the resolution of internal and external disputes under the commission's jurisdiction.

(b) The commission's procedures relating to alternative dispute resolution shall conform, to the extent possible, to any model guidelines issued by the State Office of Administrative

Hearings for the use of alternative dispute resolution by state agencies.

(c) The commission shall designate a trained person to:

(1) coordinate the implementation of the policy adopted under Subsection (a);

(2) serve as a resource for any training needed to implement the procedures for negotiated rulemaking or alternative dispute resolution; and

(3) collect data concerning the effectiveness of those procedures, as implemented by the commission.

Added by Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. 3426), Sec. 7, eff. September 1, 2007.

Sec. 434.0078. CLAIMS ASSISTANCE SERVICES. (a) The commission shall adopt procedures for administering claims assistance services under Section 434.007(a)(5). The procedures shall include:

(1) criteria for determining when a veteran's initial claim is substantially complete and basic eligibility requirements are met as provided by federal law;

(2) a process for expediting a claim based on hardship, including whether the veteran:

(A) is in immediate need;

(B) is terminally ill;

(C) has a verifiable financial hardship; or

(D) has a disability that presents an undue burden;

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

(4) a process to ensure adequate documentation and development of a claim or appeal, including early client involvement, collection of needed evidence and records, and analysis of actions necessary to pursue and support a claim or appeal;

(5) criteria for evaluating whether a decision of the United States Department of Veterans Affairs contains sufficient cause for filing an appeal;

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

(7) a procedure for prioritizing a claim, when appropriate, or providing an alternative source for obtaining claims assistance services when it is not appropriate to prioritize.

(b) The commission shall consult with the United States Department of Veterans Affairs in developing the procedures under Subsection (a) to:

(1) ensure the services provided by the commission do not unnecessarily duplicate services provided through the United States Department of Veterans Affairs;

(2) ensure that the procedures will provide for resolving disputes at the lowest level of the United States Department of Veterans Affairs benefit decision process;

(3) ensure that commission employees are not improperly involved in adjudicating claims; and

(4) establish broad areas of cooperation between the commission and the United States Department of Veterans Affairs to streamline and align the commission's service delivery with United States Department of Veterans Affairs processes, including:

(A) identifying processes to update changes to veterans' cases and power of attorney designation;

(B) cooperating to expedite hardship cases and appeals; and

(C) identifying opportunities for the United States Department of Veterans Affairs to provide the commission with necessary data to assist with tracking the progress and outcomes of claims.

(c) The commission shall regularly evaluate claims assistance services staffing to determine where counselors and special team staff are most needed. The evaluation must include the:

(1) workload of staff;

(2) number of veterans denied claims assistance

services; and

(3) quality of claims prepared at each of the claims assistance services offices.

(d) The commission shall regularly evaluate the needs and performance of any special claims assistance resources provided by the legislature, including the state strike force team and the fully developed claims team, and request to adjust staffing for those resources as appropriate.

(e) The commission shall regularly collect detailed information on the outcome of claims and use that information to evaluate and improve claims assistance services. The commission, at a minimum, shall track and evaluate the following information by claims district:

(1) the quality of claims submitted to the state strike force team;

(2) the percentage of claims developed through claims assistance services that are processed as fully developed claims by the United States Department of Veterans Affairs;

(3) the success rate of claims and appeals developed through claims assistance services; and

(4) the average processing time for claims and appeals by the United States Department of Veterans Affairs.

(f) In documenting the success rate of claims and appeals as required by Subsection (e), the commission shall include in a consolidated report each claim, the corresponding decision by the United States Department of Veterans Affairs, and the status and outcome of any appeal.

Added by Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. 3426), Sec. 7, eff. September 1, 2007.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 593 (S.B. 601), Sec. 4, eff. September 1, 2019.

Sec. 434.0079. DUTIES REGARDING CERTAIN TUITION AND FEE EXEMPTIONS FOR VETERANS AND FAMILY MEMBERS. (a) The commission, through its veteran education program, shall assist veterans and their family members in claiming and qualifying for exemptions from

the payment of tuition and fees at institutions of higher education under Section 54.341, Education Code.

(b) The commission shall establish the application and necessary evidence requirements for a person to claim an exemption under Section 54.341, Education Code, at an institution of higher education.

(c) The commission shall adopt rules governing the coordination of federal and state benefits of a person eligible to receive an exemption under Section 54.341(k), Education Code, including rules governing:

(1) the total number of credit hours assigned under that section that a person may apply to an individual degree or certificate program, consistent with the standards of the appropriate recognized regional accrediting agency; and

(2) the application of the assigned exemption to credit hours for which the institution of higher education does not receive state funding.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1193 (S.B. 1158), Sec. 3, eff. June 14, 2013.

Sec. 434.00791. ELECTRONIC SYSTEM TO MONITOR TUITION EXEMPTIONS FOR VETERANS AND FAMILY MEMBERS. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(b) The commission shall ensure a system to electronically monitor the use of tuition and fee exemptions at institutions of higher education under Section 54.341, Education Code, is developed. The system must allow the commission to electronically receive, for each semester, the following information from institutions of higher education:

(1) the name of the institution;

(2) the name, identification number, and date of birth of each individual attending the institution and receiving benefits for the semester under Section 54.341, Education Code;

(3) for each individual receiving benefits, the number of credit hours for which the individual received an exemption for the semester;

(4) for each individual receiving benefits at the institution during the semester, the total cumulative number of credit hours for which the individual has received an exemption at the institution; and

(5) any other information required by the commission.

Added by Acts 2005, 79th Leg., Ch. 7 (S.B. 101), Sec. 2, eff. May 3, 2005.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 359 (S.B. 32), Sec. 6, eff. January 1, 2012.

Transferred, redesignated and amended from Education Code, Section 61.0516 by Acts 2013, 83rd Leg., R.S., Ch. 1193 (S.B. 1158), Sec. 4, eff. June 14, 2013.

Sec. 434.008. FEES PROHIBITED. The commission may not charge a fee or permit the payment of a fee by an applicant to a third person for services rendered by the commission.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Sec. 434.009. EXECUTIVE DIRECTOR. (a) The commission shall employ an executive director qualified by experience and training to administer the policies of the commission.

(b) The executive director shall:

(1) place into operation the policies and instructions of the commission;

(2) serve as the executive officer of the commission, without the power to vote;

(3) be in charge of commission offices;

(4) direct the paid personnel of the commission; and

(5) be responsible to the commission for all reports, data, and similar information required by the commission.

(c) The executive director may:

(1) administer oaths;

(2) certify official acts under the commission's seal;

(3) take depositions inside or outside the state, as provided by law; and

(4) compel the production of pertinent books,

accounts, records, and documents.

(d) The executive director shall devote the executive director's entire time to the duties of the office and may not actively engage or be employed in another business, vocation, or profession.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Sec. 434.0091. SEPARATION OF POLICYMAKING AND MANAGEMENT RESPONSIBILITIES. The commission shall develop and implement policies that clearly separate the policymaking responsibilities of the commission and the management responsibilities of the executive director and the staff of the commission.

Added by Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. 3426), Sec. 8, eff. September 1, 2007.

Sec. 434.010. RULES. (a) The commission may adopt rules that it considers necessary for its administration.

(b) The commission shall adopt procedures for receiving input and recommendations from interested persons regarding the development of rules and policies.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. 3426), Sec. 9, eff. September 1, 2007.

Sec. 434.0101. ADVISORY COMMITTEES. (a) In developing procedures under Section 434.010, the commission may establish and appoint members to an advisory committee to advise and make recommendations to the commission on programs, rules, and policies affecting the delivery of services to veterans.

(b) If the commission establishes an advisory committee under Subsection (a), the commission shall adopt rules regarding:

- (1) the purpose, role, and goals of the committee;
- (2) the size and quorum requirements of the committee;
- (3) the qualifications of the members and the criteria for selecting members;
- (4) the procedures for appointing members;

- (5) the terms of service of members;
- (6) the training requirements of members;
- (7) the implementation of a needs assessment process to regularly evaluate the continuing need for the committee; and
- (8) a requirement that the committee comply with Chapter 551.

Added by Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. 3426), Sec. 10, eff. September 1, 2007.

Sec. 434.011. OFFICE; EXPENSES; EMPLOYEES. (a) The state shall provide the commission suitable offices and office equipment in Austin. The commission may incur the expenses necessary to perform its work.

(b) The commission shall employ sufficient office personnel, stenographers, typists, and clerical help to maintain the efficient operation of the office.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Sec. 434.012. COMPENSATION AND EXPENSES. (a) A member of the commission is entitled to a per diem as set by legislative appropriation for each day that the member engages in commission business.

(b) A member is entitled to receive compensation for meals, lodging, or other travel expenses as provided by the General Appropriations Act.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Sec. 434.013. FINANCES. (a) The financial transactions of the commission are subject to audit by the state auditor in accordance with Chapter 321, Government Code.

(b) Repealed by Acts 2011, 82nd Leg., R.S., Ch. 1083, Sec. 25(38), eff. June 17, 2011.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 584, Sec. 24, eff. Sept. 1, 1989.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1083 (S.B. 1179), Sec. 25(38), eff. June 17, 2011.

Sec. 434.014. EMPLOYMENT PRACTICES. (a) The executive director or the executive director's designee shall develop a career ladder program. The program must require that openings in all positions except entry level positions be posted within the commission concurrently with any public posting.

(b) The executive director or the executive director's designee shall develop a system of annual performance evaluation based on measurable job tasks. Merit pay for commission employees must be based on this system.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1385 (S.B. [1655](#)), Sec. 1, eff. June 19, 2009.

Sec. 434.015. INFORMATION OF PUBLIC INTEREST. The commission shall prepare information of public interest describing the functions of the commission and the procedures for filing and for resolution by the commission of public complaints. The commission shall make the information available to the general public and appropriate state agencies.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Sec. 434.0151. PUBLIC PARTICIPATION. The commission shall develop and implement policies that provide the public with a reasonable opportunity to appear before the commission and to speak on any issue under the jurisdiction of the commission.

Added by Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. [3426](#)), Sec. 11, eff. September 1, 2007.

Sec. 434.016. GIFTS AND GRANTS. The commission may accept gifts of money and property and may accept grants.

Added by Acts 2005, 79th Leg., Ch. 395 (S.B. [1480](#)), Sec. 3, eff. September 1, 2005.

Sec. 434.0161. USE OF FUNDS TO SUPPORT OUTREACH AND TRAINING. The commission may use appropriated funds to purchase,

for use at outreach and training functions:

- (1) promotional items that include the agency's name and contact information to be distributed to veterans; and
- (2) food and beverages.

Added by Acts 2009, 81st Leg., R.S., Ch. 1385 (S.B. 1655), Sec. 2, eff. June 19, 2009.

Sec. 434.017. FUND FOR VETERANS' ASSISTANCE. (a) The fund for veterans' assistance is a special fund in the state treasury outside the general revenue fund. The fund is composed of:

- (1) money transferred to the fund at the direction of the legislature;
- (2) gifts and grants contributed to the fund;
- (3) the earnings of the fund;
- (4) money transferred to the fund from proceeds of the lottery game operated under Section 466.027 or transferred to the fund under Section 466.408(b);
- (5) money deposited to the credit of the fund under Section 502.1746, Transportation Code;
- (6) money deposited to the credit of the fund under Section 521.010, Transportation Code;
- (7) money deposited to the credit of the fund under Section 12.007, Parks and Wildlife Code; and
- (8) money deposited to the credit of the fund under Section 411.1741.

(b) Except as provided by Subsections (c) and (e), money in the fund may not be appropriated for any purpose.

(c) Money in the fund may only be appropriated to the Texas Veterans Commission. Money appropriated under this subsection shall be used to:

- (1) make grants to address veterans' needs;
- (2) make grants to provide pro bono legal services to veterans, active duty members of the United States armed forces, and members of the state military forces;
- (3) administer the fund; and
- (4) analyze and investigate data received from the federal Public Assistance Reporting Information System (PARIS)

that is administered by the Administration for Children and Families of the United States Department of Health and Human Services.

(c-1) Every four years, the commission shall:

(1) conduct a needs assessment to identify the specific high-priority needs of veterans and the services available to address those needs;

(2) determine the grant categories that correspond to the needs identified under Subdivision (1); and

(3) identify any discrepancy between the needs identified under Subdivision (1) and the services available to address those needs.

(c-2) On completion of the needs assessment and other determinations under Subsection (c-1), the commission shall incorporate the results of the assessment and determinations into the commission's process for awarding grants from the fund for veterans' assistance.

(c-3) In making the grants required under Subsection (c), the Texas Veterans Commission shall use at least five percent of the money appropriated to the commission under that subsection in each state fiscal year to provide grants to veterans county service offices created as provided by Section [434.032](#). A veterans county service office that receives a grant under Subsection (c) shall use the money to provide direct assistance and services to veterans residing in the county served by that office. On July 1 of each state fiscal year, if the commission has not received sufficient grant requests from veterans county service offices to make grants to the offices in the amount of five percent of the money appropriated to the commission under Subsection (c) in that state fiscal year, the commission may use any amount of the five percent remaining on that date for any purpose authorized under that subsection. This subsection may not be construed to prevent the commission from using more than five percent of the money appropriated to the commission under Subsection (c) to provide grants to veterans county service offices.

(c-4) The commission shall publish the most recent needs assessment under Subsection (c-1) on the commission's Internet

website.

(d) The Texas Veterans Commission may adopt rules governing the award of grants by the commission under this section. The commission shall adopt rules governing the award of grants to veterans county service offices under Subsection (c-3).

(e) To carry out any purpose of this chapter, the commission may solicit, accept, or refuse a gift, grant, devise, bequest of money, security, service, or property, including money raised or a service provided by a volunteer or volunteer group, to promote the work of the commission for any purpose related to the fund for veterans' assistance. The commission may participate in the establishment and operation of an affiliated nonprofit organization that is established for the purpose of raising money for or providing services or other benefits to the commission or a program established in the commission, including the Texas Women Veterans Program. A gift, grant, devise, or bequest to the fund may be appropriated in the same manner as other money in the fund, subject to the purposes provided by Subsection (c) and any limitation or requirement placed on the gift, grant, devise, or bequest by the donor or granting entity.

(f) Sections [403.095](#) and [404.071](#) do not apply to the fund. Added by Acts 2005, 79th Leg., Ch. 395 (S.B. [1480](#)), Sec. 1, eff. September 1, 2005.

Redesignated from Government Code, Section 403.108 and amended by Acts 2007, 80th Leg., R.S., Ch. 1418 (H.B. [3107](#)), Sec. 16(a), eff. June 15, 2007.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 840 (S.B. [1940](#)), Sec. 1, eff. June 19, 2009.

Acts 2009, 81st Leg., R.S., Ch. 1385 (S.B. [1655](#)), Sec. 3, eff. June 19, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 91 (S.B. [1303](#)), Sec. 11.011, eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 669 (S.B. [1635](#)), Sec. 1, eff. June 17, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 673 (S.B. [1739](#)), Sec. 1, eff. June 17, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 673 (S.B. 1739), Sec. 2, eff. June 17, 2011.

Acts 2011, 82nd Leg., 1st C.S., Ch. 4 (S.B. 1), Sec. 26.01, eff. September 28, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 868 (H.B. 633), Sec. 1, eff. September 1, 2013.

Acts 2015, 84th Leg., R.S., Ch. 160 (H.B. 1584), Sec. 1, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 210 (S.B. 1879), Sec. 1, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 325 (H.B. 867), Sec. 2, eff. June 4, 2015.

Acts 2015, 84th Leg., R.S., Ch. 821 (H.B. 3710), Sec. 1, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.002(11), eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 324 (S.B. 1488), Sec. 6.006, eff. September 1, 2017.

Reenacted and amended by Acts 2017, 85th Leg., R.S., Ch. 324 (S. B. 1488), Sec. 8.006, eff. September 1, 2017.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 753 (S.B. 1679), Sec. 1, eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 593 (S.B. 601), Sec. 5, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 675 (S.B. 2104), Sec. 1, eff. September 1, 2019.

Sec. 434.0171. STATE EMPLOYEE CONTRIBUTIONS TO FUND FOR VETERANS' ASSISTANCE. For purposes of Subchapter I, Chapter 659:

(1) the Texas Veterans Commission, for the sole purpose of managing the fund for veterans' assistance, is considered an eligible charitable organization entitled to participate in the state employee charitable campaign; and

(2) a state employee is entitled to authorize a deduction for contributions to the Texas Veterans Commission for the purposes of managing the fund for veterans' assistance as a

charitable contribution under Section [659.132](#), and the Texas Veterans Commission may use the contributions for the purposes listed in Section [434.017\(c\)](#).

Added by Acts 2009, 81st Leg., R.S., Ch. 840 (S.B. [1940](#)), Sec. 2, eff. June 19, 2009.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 675 (S.B. [2104](#)), Sec. 2, eff. September 1, 2019.

Sec. 434.018. PERFORMANCE INCENTIVE AWARD. (a) The commission may make a 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) The performance incentive award may be monetary or nonmonetary.

(c) A performance incentive award made under this section to a state employee is not a promotion or a merit salary increase under Chapter [659](#).

Added by Acts 2007, 80th Leg., R.S., Ch. 364 (S.B. [310](#)), Sec. 1, eff. September 1, 2007.

Renumbered from Government Code, Section [434.017](#) by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. [1969](#)), Sec. 27.001(29), eff. September 1, 2009.

Sec. 434.019. VETERANS HOSPITAL. (a) The Texas Veterans Commission and the Department of State Health Services, in collaboration with the office of the governor, shall work with the United States Department of Veterans Affairs and any other appropriate federal agency to propose that the federal government establish a veterans hospital in the Rio Grande Valley region of the state.

(b) The state may contribute money, property, and other resources to the establishment, maintenance, and operation of a veterans hospital described by this section.

Added by Acts 2009, 81st Leg., R.S., Ch. 439 (H.B. [2217](#)), Sec. 1, eff. June 19, 2009.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 633 (S.B. [1463](#)), Sec. 2, eff. June 16, 2015.

Sec. 434.020. NOTICE TO STATE CEMETERY COMMITTEE OF SERVICEMEMBER'S DEATH. The Texas Veterans Commission shall notify the State Cemetery Committee as soon as practicable after the commission receives notice of the death of a member of the United States armed forces from the state who is killed while serving in a combat zone.

Added by Acts 2009, 81st Leg., R.S., Ch. 1394 (S.B. [2135](#)), Sec. 2, eff. June 19, 2009.

Sec. 434.0205. CONFIDENTIALITY OF INFORMATION PROVIDED TO COMMISSION. Any information provided by a person to the commission to receive services or participate in commission programs is confidential and not subject to disclosure under Chapter [552](#).

Added by Acts 2019, 86th Leg., R.S., Ch. 367 (H.B. [1351](#)), Sec. 1, eff. September 1, 2019.

Sec. 434.021. CONFIDENTIAL INFORMATION RECEIVED BY THE COMMISSION. Information received by the commission that is confidential under Chapter [552](#) remains confidential regardless of the format in which the commission maintains the information.

Added by Acts 2009, 81st Leg., R.S., Ch. 1385 (S.B. [1655](#)), Sec. 2, eff. June 19, 2009.

Sec. 434.022. VETERAN ENTREPRENEUR PROGRAM. (a) In this section, "veteran" means a person who has served in:

(1) the army, navy, air force, coast guard, or marine corps of the United States; or

(2) the Texas National Guard as defined by Section [431.001](#).

(b) The Texas Veterans Commission by rule shall establish and implement the veteran entrepreneur program to foster and promote veteran entrepreneurship and business ownership.

(c) The program shall provide assistance to veteran

entrepreneurs and business owners by:

(1) performing outreach functions to improve veteran entrepreneurs' and business owners' awareness of federal and state benefits and services available to those veterans;

(2) assessing the need for benefits and services among veteran entrepreneurs and business owners;

(3) reviewing and researching programs, projects, and initiatives designed to address the needs of veteran entrepreneurs and business owners;

(4) periodically evaluating the effectiveness of the commission's efforts to assist veteran entrepreneurs and business owners and making appropriate recommendations to the executive director of the commission to improve services and assistance provided to those veterans;

(5) incorporating issues concerning veteran entrepreneurs and business owners into the commission's plans for assisting veterans in securing benefits and services;

(6) advocating for veteran entrepreneurs and working to increase public awareness about the needs of veteran entrepreneurs and business owners;

(7) recommending legislative initiatives and policies at the local, state, and national levels to address the issues affecting veteran entrepreneurship and business ownership;

(8) collaborating with federal, state, and private agencies that provide services to veteran entrepreneurs and business owners to allow the veterans to make use of those services;

(9) monitoring and researching issues affecting the interests of veteran entrepreneurs and business owners;

(10) providing information about opportunities for veteran entrepreneurs and business owners in the commission's collaborative network of businesses and organizations;

(11) providing guidance to veteran entrepreneurs and business owners through conferences, seminars, and training workshops with federal, state, and private agencies; and

(12) promoting events and activities that recognize or honor veteran entrepreneurs and business owners.

(c-1) The program shall establish regional coordinators in

major centers of economic growth to provide the services described in Subsection (c).

(d) The executive director of the commission shall appoint a program coordinator to administer the program.

(e) The commission shall provide facilities as appropriate in support of the program to the extent funding is available for that purpose.

(f) The program shall consult with the United States Department of Veterans Affairs and the United States Small Business Administration in developing procedures under this section to ensure the services provided by this program do not duplicate services provided through the United States Department of Veterans Affairs or the United States Small Business Administration.

Added by Acts 2013, 83rd Leg., R.S., Ch. 483 (S.B. [1476](#)), Sec. 1, eff. June 14, 2013.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 73 (S.B. [660](#)), Sec. 1, eff. May 22, 2015.

Sec. 434.023. HEALTH CARE ADVOCACY PROGRAM FOR VETERANS.

(a) In this section, "veteran" means a person who has served in:

(1) the army, navy, air force, coast guard, or marine corps of the United States; or

(2) the Texas National Guard as defined by Section [431.001](#).

(b) The commission by rule shall establish and implement a health care advocacy program to assist veterans in gaining access to health care facilities of the United States Department of Veterans Affairs.

(c) The program shall provide assistance to veterans by:

(1) resolving any access issues raised by veterans in this state or referred to the commission by the veterans toll-free hotline operated under Section [161.077](#), Natural Resources Code;

(2) coordinating with the Veterans Health Administration of the United States Department of Veterans Affairs to support the health care advocacy program established under this section;

(3) coordinating with health care providers in this state to expand providers' opportunities to treat veterans through the United States Department of Veterans Affairs;

(4) reviewing and researching programs, projects, and initiatives designed to address the health care needs of veterans;

(5) evaluating the effectiveness of the efforts of the commission to improve access to health care services for veterans;

(6) making recommendations to the executive director of the commission to improve health care services and assistance for veterans;

(7) incorporating veterans' health care issues into the commission's strategic plan required under Section [2056.002](#);

(8) assisting veterans in securing benefits and services; and

(9) recommending legislative initiatives and policies at the local, state, and national levels to address issues affecting health care for veterans.

(d) The executive director of the commission shall appoint a program coordinator to administer the health care advocacy program.

(e) The commission shall provide facilities as appropriate to support the program to the extent funding is available for that purpose.

Added by Acts 2015, 84th Leg., R.S., Ch. 542 (H.B. [1762](#)), Sec. 1, eff. June 16, 2015.

Sec. 434.024. VETERANS COMMUNITY OUTREACH CAMPAIGN.

(a) The Texas Veterans Commission shall conduct a community outreach campaign to provide information relating to and increase awareness of benefits and services available to veterans, including:

(1) claims assistance services;

(2) technology services, including the veterans website under Section [434.102](#);

(3) health, financial, rehabilitation, and housing services;

(4) employment and reemployment services;

(5) legal services, including the veterans treatment

court program under Chapter [124](#);

- (6) state and federal education benefits;
- (7) grants available to veterans;
- (8) entrepreneurial services under Section [434.022](#);

and

- (9) mental health services.

(b) The community outreach campaign must include outreach efforts at:

- (1) community centers;
- (2) places of worship; and
- (3) any other place in a community where veterans routinely gather, as determined by the commission.

(c) The commission shall collaborate with, and may contract with, community-based, nonprofit, or private organizations to implement the community outreach campaign under this section.

(d) The commission may solicit and accept gifts and grants to fund the community outreach campaign under this section.

Added by Acts 2017, 85th Leg., R.S., Ch. 562 (S.B. [591](#)), Sec. 1, eff. September 1, 2017.

Sec. 434.025. INFORMATION REGARDING VETERAN'S EMPLOYMENT PREFERENCE POLICIES. The commission shall make available on its website a list of each private employer who has provided notice under Section [23.002\(c\)](#), Labor Code, regarding a veteran's employment preference policy.

Added by Acts 2017, 85th Leg., R.S., Ch. 387 (S.B. [588](#)), Sec. 1, eff. September 1, 2017.

Redesignated from Government Code, Section [434.024](#) by Acts 2019, 86th Leg., R.S., Ch. 467 (H.B. [4170](#)), Sec. 21.001(22), eff. September 1, 2019.

Sec. 434.026. ONLINE REPOSITORY FOR ACTIVE DUTY MILITARY.

(a) The Texas Veterans Commission shall develop and maintain on the state electronic Internet portal project described by Section [2054.252](#) an online repository of information of use to active duty members of the United States armed forces and their families relocating to this state.

(b) The repository under Subsection (a) must include information on assistance, fee waivers, and programs the state provides to active duty members of the United States armed forces and their families related to occupational and professional licenses, education, and health care.

(c) A link to the repository developed under Subsection (a) must be prominently displayed on the public home page of the state electronic Internet portal project described by Section 2054.252. Added by Acts 2019, 86th Leg., R.S., Ch. 316 (H.B. 2530), Sec. 1, eff. September 1, 2019.

Text of section as added by Acts 2021, 87th Leg., R.S., Ch. 133
(H.B. 33), Sec. 4

For text of section as added by Acts 2021, 87th Leg., R.S., Ch. 157
(S.B. 886), Sec. 1, see other Sec. 434.027.

Sec. 434.027. ENERGY INDUSTRY PROGRAM FOR VETERAN PROFESSIONAL DEVELOPMENT. (a) The Texas Veterans Commission shall develop and administer a program to provide assistance to veterans seeking a certification or training to prepare for employment in the energy industry.

(b) The commission, in coordination with the General Land Office and Veterans' Land Board, shall conduct an outreach campaign to encourage veterans to participate in the program established under this section.

(c) The commission shall adopt rules to implement the program established under this section.

Added by Acts 2021, 87th Leg., R.S., Ch. 133 (H.B. 33), Sec. 4, eff. September 1, 2021.

Text of section as added by Acts 2021, 87th Leg., R.S., Ch. 157
(S.B. 886), Sec. 1

For text of section as added by Acts 2021, 87th Leg., R.S., Ch. 133
(H.B. 33), Sec. 4, see other Sec. 434.027.

Sec. 434.027. CITIZENSHIP ASSISTANCE FOR VETERANS. On request of a veteran, the Texas Veterans Commission shall evaluate the veteran's citizenship status in order to:

(1) educate and direct the veteran in becoming a

United States citizen; and

(2) facilitate the veteran's naturalization process.
Added by Acts 2021, 87th Leg., R.S., Ch. 157 (S.B. 886), Sec. 1,
eff. September 1, 2021.

SUBCHAPTER B. VETERANS COUNTY SERVICE OFFICES

Sec. 434.031. DEFINITIONS. In this subchapter:

(1) "Office" means a Veterans County Service Office created under this subchapter.

(2) "Officer" means a veterans county service officer or assistant veterans county service officer.

(3) "Commission" means the Texas Veterans Commission. Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 364, Sec. 2, eff. Sept. 1, 1989.

Sec. 434.032. CREATION. (a) In a county with a population of 200,000 or more, the commissioners court shall maintain a veterans county service office. The office must:

(1) be separate and distinct from other county offices;

(2) be staffed by at least one full-time employee; and

(3) report directly to the commissioners court.

(b) In a county with a population of less than 200,000, the commissioners court, by a majority vote of its full membership, may maintain and operate a veterans county service office if the commissioners court determines that the office is a public necessity to enable county residents who are veterans to promptly, properly, and rightfully obtain benefits to which they are entitled.

(c) The commissioners court of a county that maintains an office:

(1) may not consider a juror's donation to the office of the juror's daily reimbursement under Section 61.003 for purposes of determining the county's budget for the office; and

(2) may use donations described by Subdivision (1) only to supplement, rather than supplant, amounts budgeted by the

county for the office.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 1124 (S.B. [1676](#)), Sec. 1, eff. September 1, 2017.

Acts 2021, 87th Leg., R.S., Ch. 565 (S.B. [456](#)), Sec. 2, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 934 (H.B. [3774](#)), Sec. 11.03, eff. September 1, 2021.

Sec. 434.033. OFFICERS. (a) A commissioners court that maintains and operates an office shall appoint a veterans county service officer and the number of assistant veterans county service officers that it considers necessary.

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

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

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

(b-1) In appointing an officer, the commissioners court shall give preference to a veteran who qualifies for a veteran's employment preference under Chapter [657](#). A commissioners court shall adopt and implement a county policy to give preference in appointing officers to veterans.

(c) Repealed by Acts 2019, 86th Leg., R.S., Ch. 593 (S.B. [601](#)), Sec. 9, eff. September 1, 2019.

(d) An officer serves at the pleasure of the commissioners court.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 364, Sec. 3, eff. Sept. 1, 1989.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1194 (H.B. [3872](#)), Sec. 1, eff. June 19, 2009.

Acts 2015, 84th Leg., R.S., Ch. 701 (H.B. [906](#)), Sec. 1, eff. June 17, 2015.

Acts 2019, 86th Leg., R.S., Ch. 593 (S.B. [601](#)), Sec. 6, eff.

September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 593 (S.B. 601), Sec. 9, eff. September 1, 2019.

Sec. 434.034. JOINT EMPLOYMENT. The commissioners courts of any number of contiguous counties, by a majority vote of the full membership of each commissioners court, may agree to jointly establish an office and employ a veterans county service officer. The agreement must stipulate the amount of compensation and travel and other expenses to be paid by each county.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Sec. 434.035. DUTIES. An officer shall aid any county resident who served in the armed forces or nurses corps of the United States, and any orphan or dependent of the person, to prepare, submit, and present any claim against the United States or a state for benefits to which the person may be entitled under United States or state law. The officer shall defeat all unjust claims that come to the officer's attention.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Sec. 434.036. PROHIBITIONS. (a) An officer may not charge a fee or permit the payment of a fee by an applicant to a third person for services the officer renders under this subchapter.

(b) An officer may not seek to influence the execution of a power of attorney to one national service organization over that of another.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Sec. 434.037. ACCESS TO RECORDS. A state eleemosynary or penal institution shall give an officer access to its records to enable the officer to determine the status of a person confined in the institution relating to a benefit to which the person may be entitled. Access to records of a penal institution is governed by rules of the Texas Department of Criminal Justice.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 25.070, eff. September 1, 2009.

Sec. 434.038. TRAINING AND CERTIFICATION. (a) An officer shall, within the time after the date of the officer's appointment that the commission prescribes, complete a course of initial training provided by the Texas Veterans Commission or approved under Subsection (e)(5). The commission shall issue the officer a certificate of training after completion of all initial training requirements established by the commission under this section. To maintain certification, the officer shall complete continuing training required by the commission that is approved under Subsection (e)(5) or provided by the commission. An officer must maintain certification to remain in office.

(a-1) The commission shall develop and implement methods for providing training to officers. The methods may include Internet-based seminars, participation through videoconference, cooperation with training provided by the United States Department of Veterans Affairs, and other methods as appropriate.

(b) The commission may provide, at commission expense, the initial and continuing training required by this section at least once each year. If state funds are appropriated for that purpose, the commission shall reimburse an officer's travel and lodging expenses incurred in attending training provided by the commission. The commission shall make the reimbursement in the manner prescribed for the reimbursement of these expenses to state employees.

(c) The commissioners court of an officer's county shall reimburse an officer's travel and lodging expenses incurred in attending training required under this section that is approved under Subsection (e)(5).

(d) The commission shall develop standard course materials, training curriculum, and examinations to be used for county service officer certification and United States Department of Veterans Affairs accreditation.

(e) The commission shall:

(1) maintain course materials and examinations in a

central location and provide county service offices and commission field staff with access to the course materials on the commission's Internet website;

(2) regularly update course materials, training curriculum, and examinations after consulting with:

(A) the United States Department of Veterans Affairs to ensure the course materials, training curriculum, and examinations are accurate and meet applicable United States Department of Veterans Affairs requirements; and

(B) accredited county service officers to ensure the materials, training curriculum, and examinations include issues developing at the county level;

(3) develop a training handbook containing instruction and case studies addressing:

(A) general assistance techniques, including how to provide general information regarding state and federal benefits and referrals for other services and to other agencies, and general information regarding state and federal benefits;

(B) basic counseling approaches for assisting veterans, their family members, and other eligible dependents filing benefit claims;

(C) basic information on United States Department of Veterans Affairs processes and procedures, including how to accurately complete claims and appeals forms and how to support claims;

(D) methods of collecting required documentation and developing claims and appeals;

(E) methods of documenting progress and updating a veteran's, a veteran's family member's, or another eligible dependent's case information;

(F) methods of assisting veterans, their family members, or other eligible dependents in pursuing appeals, including offering case knowledge in appeals hearings; and

(G) methods of representing veterans, their family members, or other eligible dependents during appeals hearings;

(4) coordinate with the Department of State Health

Services to incorporate a suicide prevention component as part of the accreditation training and examination; and

(5) approve training provided by public or private entities to fulfill initial and continuing training requirements established by the commission under this section.

(f) The commission may establish rules to carry out the purposes of this section, including rules regarding carryover of credit for extra course attendance from one year into subsequent years and the anniversary date by which the continuing certification requirement must be met.

Added by Acts 1989, 71st Leg., ch. 364, Sec. 4, eff. Sept. 1, 1989.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. 3426), Sec. 12, eff. September 1, 2007.

Acts 2013, 83rd Leg., R.S., Ch. 29 (S.B. 846), Sec. 1, eff. September 1, 2013.

Acts 2017, 85th Leg., R.S., Ch. 558 (S.B. 544), Sec. 1, eff. September 1, 2017.

Sec. 434.039. COORDINATION WITH COUNTY SERVICE OFFICERS AND COMMISSIONERS COURTS. The commission shall develop and adopt procedures to coordinate with county service officers and county commissioners courts to:

(1) identify the shared objectives of the commission, county service officers, and counties with a county service office in serving veterans;

(2) develop a plan for encouraging service officers to become accredited by the United States Department of Veterans Affairs;

(3) develop a procedure for consulting with counties to evaluate the state's overall approach to service delivery by county service officers and commission claims staff as part of the state's veterans assistance network;

(4) define the commission's responsibilities in overseeing claims and appeals prepared by county service officers for instances when the commission has been designated as a veteran's agent under a power of attorney;

(5) develop a process for collecting information regarding claims filed by county service officers for instances when the commission has been designated as a veteran's agent under a power of attorney, for providing technical assistance to county service officers, and for providing evaluative information, on request, to county judges or other local officials who supervise county service officers;

(6) incorporate county service officers into United States Department of Veterans Affairs appeals hearings either to represent veterans or to appear as witnesses, as needed;

(7) explore opportunities for funding county service officer travel to participate in United States Department of Veterans Affairs appeals hearings; and

(8) develop procedures to regularly update county service officers on changes in United States Department of Veterans Affairs policies and procedures, and other information.

Added by Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. [3426](#)), Sec. 13, eff. September 1, 2007.

SUBCHAPTER C. TECHNOLOGY SERVICES AND REQUIREMENTS

Sec. 434.101. DEFINITIONS. In this subchapter:

(1) "Commission" means the Texas Veterans Commission.

(2) "State electronic Internet portal" has the meaning assigned by Section [2054.003](#).

Added by Acts 2003, 78th Leg., ch. 69, Sec. 1, eff. May 16, 2003.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 973 (H.B. [1504](#)), Sec. 5, eff. June 17, 2011.

Sec. 434.102. VETERANS WEBSITE. (a) The Department of Information Resources shall establish and maintain on the state electronic Internet portal a veterans website. The website must allow veterans to access information on state and federal veterans benefits programs.

(b) A state agency that participates in the veterans website is encouraged to allow a veteran to electronically file for state

veterans benefits, including the electronic signing of the filing by the veteran and an electronic acknowledgment of the filing.

(c) The veterans website may allow a veteran to electronically file for selected federal veterans benefits, as specified by the commission.

Added by Acts 2003, 78th Leg., ch. 69, Sec. 1, eff. May 16, 2003.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 973 (H.B. 1504), Sec. 6, eff. June 17, 2011.

Sec. 434.103. COMMISSION FORMS. Commission forms shall contain:

(1) the veterans website address maintained under Section 434.102; and

(2) the commission's toll-free telephone number.

Added by Acts 2003, 78th Leg., ch. 69, Sec. 1, eff. May 16, 2003.

Sec. 434.104. BENEFITS BOOKLETS. (a) Not later than February 1 of each even-numbered year, the commission shall create an electronic version of a state veterans benefits booklet and provide a printed copy and an electronic version of the booklet to:

(1) each veterans county service officer; and

(2) the personnel office of each state or federal military installation in this state.

(b) A veterans county service officer is encouraged 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.

(c) Each veterans county service officer shall make a copy of the booklet available at the veterans county service office.

(d) The commission may update the booklet as necessary.

(e) The commission shall provide an electronic version of the booklet on the commission's website.

Added by Acts 2003, 78th Leg., ch. 69, Sec. 1, eff. May 16, 2003.

Sec. 434.105. ELECTRONIC ACCESS TO NEWSLETTER OR SERVICES. The commission, with the assistance of the executive director of

the Department of Information Resources, may develop and implement a program that uses appropriate computer hardware and software and required training programs to facilitate electronic:

- (1) delivery of a veterans newsletter; and
- (2) initiation of veterans benefits claims by veterans county service officers.

Added by Acts 2003, 78th Leg., ch. 69, Sec. 1, eff. May 16, 2003.

Sec. 434.106. DONATIONS; COMPUTERS FOR VETERANS COUNTY SERVICE OFFICERS. (a) The commission may accept donated computers from any person, including a governmental entity, and cooperate with that person to establish a program to provide computers at no cost to interested veterans county service officers.

(b) A veterans county service officer who obtains a computer under this program shall:

(1) make the computer available to veterans at the veterans county service office; or

(2) lend the computer to veterans in a manner determined by the officer and approved by the county commissioners court.

Added by Acts 2003, 78th Leg., ch. 69, Sec. 1, eff. May 16, 2003.

Sec. 434.107. USE OF TECHNOLOGY. The commission shall implement a policy requiring the commission to use appropriate technological solutions to improve the commission's ability to perform its functions. The policy must ensure that the public is able to interact with the commission on the Internet.

Added by Acts 2007, 80th Leg., R.S., Ch. 1269 (H.B. [3426](#)), Sec. 14, eff. September 1, 2007.

Sec. 434.108. DIRECTORY OF SERVICES. (a) The commission shall collaborate with and assist the Department of State Health Services and the Health and Human Services Commission in compiling and maintaining the directory of services established under Section [161.552](#), Health and Safety Code.

(b) The commission shall provide the directory of services established under Section [161.552](#), Health and Safety Code, on the

commission's website or through links appearing on the commission's website.

Added by Acts 2007, 80th Leg., R.S., Ch. 1381 (S.B. 1058), Sec. 4, eff. September 1, 2007.

Renumbered from Government Code, Section 434.107 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(30), eff. September 1, 2009.

SUBCHAPTER D. TEXAS COORDINATING COUNCIL FOR VETERANS SERVICES

Sec. 434.151. DEFINITIONS. In this subchapter:

(1) "Council" means the Texas Coordinating Council for Veterans Services.

(2) "Servicemember" has the meaning assigned by Section 161.551, Health and Safety Code.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1112 (S.B. 1796), Sec. 1, eff. September 1, 2011.

Sec. 434.152. TEXAS COORDINATING COUNCIL FOR VETERANS SERVICES. The Texas Coordinating Council for Veterans Services is established to:

(1) coordinate the activities of state agencies that assist veterans, servicemembers, and their families;

(2) coordinate outreach efforts that ensure that veterans, servicemembers, and their families are made aware of services; and

(3) facilitate collaborative relationships among state, federal, and local agencies and private organizations to identify and address issues affecting veterans, servicemembers, and their families.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1112 (S.B. 1796), Sec. 1, eff. September 1, 2011.

Sec. 434.153. COMPOSITION OF COUNCIL. The council is composed of the director or executive head of the following entities, or that person's designated representative:

(1) the Texas Veterans Commission;

- (2) the Veterans' Land Board;
- (3) the Texas Military Department;
- (4) the Health and Human Services Commission;
- (5) the State Bar of Texas;
- (6) the office of acquired brain injury of the Health and Human Services Commission;
- (7) the Department of State Health Services;
- (8) the Department of Aging and Disability Services;
- (9) the Department of Assistive and Rehabilitative Services;
- (10) the Department of Family and Protective Services;
- (11) the Texas Workforce Commission;
- (12) the Texas Workforce Investment Council;
- (13) the Texas Higher Education Coordinating Board;
- (14) the Texas Department of Licensing and Regulation;
- (15) the Department of Public Safety;
- (16) the Texas Department of Criminal Justice;
- (17) the Commission on Jail Standards;
- (18) the Commission on Law Enforcement Officer Standards and Education;
- (19) the Texas Department of Housing and Community Affairs;
- (20) the Texas Department of Transportation;
- (21) the Texas Department of Motor Vehicles; and
- (22) the Office of Public Utility Counsel.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1112 (S.B. [1796](#)), Sec. 1, eff. September 1, 2011.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 502 (S.B. [1892](#)), Sec. 1, eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1217 (S.B. [1536](#)), Sec. 2.08, eff. September 1, 2013.

Sec. 434.154. COORDINATING WORKGROUPS.

(a) The council may, by majority vote, establish the following coordinating workgroups to focus on specific issues affecting veterans, servicemembers, and their families:

- (1) health;
- (2) mental health;
- (3) employment;
- (4) higher education;
- (5) criminal justice;
- (6) housing;
- (7) transportation;
- (8) women veterans;
- (9) pro bono legal services for veterans, including opportunities and obstacles for providing those services; and
- (10) any other coordinating workgroup considered necessary.

(b) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 502, Sec. 4, eff. September 1, 2013.

(c) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 502, Sec. 4, eff. September 1, 2013.

(d) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 502, Sec. 4, eff. September 1, 2013.

(e) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 502, Sec. 4, eff. September 1, 2013.

(f) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 502, Sec. 4, eff. September 1, 2013.

(g) Each member of the council may invite organizations or agencies that provide services to veterans, servicemembers, and their families, but that are not otherwise members of the council, to each designate a representative to participate in a coordinating workgroup through procedures established by the council.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1112 (S.B. [1796](#)), Sec. 1, eff. September 1, 2011.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 502 (S.B. [1892](#)), Sec. 2, eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 502 (S.B. [1892](#)), Sec. 3, eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 502 (S.B. [1892](#)), Sec. 4, eff. September 1, 2013.

Acts 2015, 84th Leg., R.S., Ch. 199 (S.B. [832](#)), Sec. 1, eff.

September 1, 2015.

Acts 2019, 86th Leg., R.S., Ch. 675 (S.B. [2104](#)), Sec. 4, eff. September 1, 2019.

Sec. 434.155. PRESIDING OFFICER. The executive director of the Texas Veterans Commission shall serve as the presiding officer. Added by Acts 2011, 82nd Leg., R.S., Ch. 1112 (S.B. [1796](#)), Sec. 1, eff. September 1, 2011.

Sec. 434.156. MEETINGS. The council shall meet at least annually and at the call of the presiding officer. Added by Acts 2011, 82nd Leg., R.S., Ch. 1112 (S.B. [1796](#)), Sec. 1, eff. September 1, 2011.

Sec. 434.157. ADMINISTRATIVE SUPPORT. (a) The council is administratively attached to the Texas Veterans Commission. The Texas Veterans Commission may provide administrative support and resources to the council as necessary to enable the council to perform its duties.

(b) A state agency represented on the council shall support the agency's involvement with the council and provide staff support as needed to the council.

(c) The designated representative of any organization or agency that accepts an invitation to serve on a coordinating workgroup of the council under Section [434.154\(g\)](#) is not entitled to compensation, but is entitled to reimbursement of the representative's travel expenses as provided by Chapter [660](#) and the General Appropriations Act.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1112 (S.B. [1796](#)), Sec. 1, eff. September 1, 2011.

Sec. 434.158. REPORT BY COUNCIL. Not later than October 1 of each even-numbered year, the council shall submit a report to the governor, lieutenant governor, speaker of the house of representatives, and chairs of the appropriate committees of the legislature detailing the work of the council and any recommendations.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1112 (S.B. 1796), Sec. 1, eff. September 1, 2011.

SUBCHAPTER E. TEXAS WOMEN VETERANS PROGRAM

Sec. 434.201. DEFINITIONS. In this subchapter:

- (1) "Commission" means the Texas Veterans Commission.
- (2) "Executive director" means the executive director of the commission.
- (3) "Program" means the Texas Women Veterans Program.
- (4) "Woman veteran" means a woman who:
 - (A) served on active duty in the armed forces of the United States or in the Texas National Guard on federal active duty under Title 10, United States Code; and
 - (B) was discharged or released from that service under conditions other than dishonorable.

Added by Acts 2015, 84th Leg., R.S., Ch. 325 (H.B. 867), Sec. 1, eff. June 4, 2015.

Sec. 434.202. ESTABLISHMENT OF PROGRAM; PROGRAM MISSION.

(a) The Texas Women Veterans Program is established in the commission. The program is attached to the office of the executive director for administrative purposes.

(b) The mission of the program is to ensure that the women veterans of this state have equitable access to federal and state veterans' benefits and services.

Added by Acts 2015, 84th Leg., R.S., Ch. 325 (H.B. 867), Sec. 1, eff. June 4, 2015.

Sec. 434.203. COORDINATOR. (a) The executive director shall designate a women veterans coordinator for this state.

(b) The coordinator or the coordinator's designee shall serve as a liaison between state and federal agencies and organizations that provide benefits and services to women veterans.

Added by Acts 2015, 84th Leg., R.S., Ch. 325 (H.B. 867), Sec. 1, eff. June 4, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 579 (S.B. 805), Sec. 1, eff. September 1, 2017.

Sec. 434.204. GENERAL PROGRAM DUTIES. The program shall:

(1) provide assistance to the women veterans of this state as provided by this subchapter;

(2) perform outreach functions to improve the awareness of women veterans of their eligibility for federal and state veterans' benefits and services;

(3) assess the needs of women veterans with respect to benefits and services;

(4) review programs, research projects, and other initiatives designed to address the needs of the women veterans of this state;

(5) make recommendations to the executive director regarding the improvement of benefits and services to women veterans;

(6) incorporate issues concerning women veterans in commission planning regarding veterans' benefits and services; and

(7) in collaboration with appropriate state agencies, provide information to women veterans on services and resources provided by state or federal agencies and organizations to women veterans.

Added by Acts 2015, 84th Leg., R.S., Ch. 325 (H.B. 867), Sec. 1, eff. June 4, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 579 (S.B. 805), Sec. 2, eff. September 1, 2017.

Sec. 434.205. ADVOCACY AND PUBLIC AWARENESS. (a) The program shall advocate for women veterans and work to increase public awareness about the gender-specific needs of women veterans.

(b) The program shall recommend legislative initiatives and the development of policies on the local, state, and national levels to address the issues affecting women veterans.

Added by Acts 2015, 84th Leg., R.S., Ch. 325 (H.B. 867), Sec. 1, eff. June 4, 2015.

Sec. 434.206. COLLABORATION. The program shall collaborate with federal, state, county, municipal, and private agencies that provide services to women veterans.

Added by Acts 2015, 84th Leg., R.S., Ch. 325 (H.B. 867), Sec. 1, eff. June 4, 2015.

Sec. 434.207. RESEARCH; DISSEMINATION OF INFORMATION.

(a) The program shall monitor and research issues relating to women veterans.

(b) The program shall disseminate information regarding opportunities for women veterans throughout the network of entities with which the program collaborates.

Added by Acts 2015, 84th Leg., R.S., Ch. 325 (H.B. 867), Sec. 1, eff. June 4, 2015.

Sec. 434.208. EDUCATION. Through conferences, seminars, and training workshops with federal, state, county, municipal, and private agencies, the program shall provide guidance and direction to a woman veteran who is applying for grants, benefits, or services.

Added by Acts 2015, 84th Leg., R.S., Ch. 325 (H.B. 867), Sec. 1, eff. June 4, 2015.

Sec. 434.209. HONOR AND RECOGNITION. The program shall promote events and activities that recognize and honor the women veterans of this state and women who serve in the military.

Added by Acts 2015, 84th Leg., R.S., Ch. 325 (H.B. 867), Sec. 1, eff. June 4, 2015.

Sec. 434.210. FACILITIES. To the extent funding is available for that purpose, the program shall provide facilities as appropriate in support of the program.

Added by Acts 2015, 84th Leg., R.S., Ch. 325 (H.B. 867), Sec. 1, eff. June 4, 2015.

Sec. 434.211. FUNDING; GRANTS. On behalf of the program,

the commission may:

(1) accept and spend funds:

(A) appropriated to the commission for the operation of the program; and

(B) received from other sources, including donations and grants; and

(2) provide matching grants to assist in the implementation of the program's goals and objectives.

Added by Acts 2015, 84th Leg., R.S., Ch. 325 (H.B. 867), Sec. 1, eff. June 4, 2015.

Sec. 434.212. WOMEN VETERANS REPORT. Not later than November 1 of each even-numbered year, the commission shall submit to the governor, lieutenant governor, and legislature a report on women veterans in this state. The report may be delivered electronically and must:

(1) estimate the:

(A) number of women veterans in this state;

(B) number of women veterans who contact the commission for assistance; and

(C) number of women veterans who receive assistance from the commission, the Texas Workforce Commission, the Department of State Health Services, and other state agencies;

(2) identify the unique problems faced by women veterans; and

(3) recommend policy proposals, initiatives, and funding levels to address the problems identified in Subdivision (2).

Added by Acts 2017, 85th Leg., R.S., Ch. 579 (S.B. 805), Sec. 3, eff. September 1, 2017.

Sec. 434.213. WOMEN VETERANS COMMUNITY OUTREACH CAMPAIGN. The women veterans coordinator designated under Section 434.203, in consultation with the Governor's Commission for Women, the United States Department of Veterans Affairs, and any other appropriate agency, shall conduct a community outreach campaign to:

(1) provide information relating to and increase

awareness of benefits and services available to women veterans;

(2) improve access to benefits and services for women veterans;

(3) increase participation of women veterans in programs that provide benefits and services;

(4) provide information on the significant contributions of women veterans in this state; and

(5) provide information relating to and increase awareness of support groups and other organizations relating to family services, including services for women veterans who are single parents.

Added by Acts 2017, 85th Leg., R.S., Ch. 579 (S.B. 805), Sec. 3, eff. September 1, 2017.

Sec. 434.214. APPLICATION FOR STATE AGENCY PROGRAMS, SERVICES, OR ASSISTANCE. (a) This section applies to a state agency in the executive branch of state government, including a health and human services agency, that provides to adult women in this state a program, a service, or assistance, including the Temporary Assistance for Needy Families program, the supplemental nutrition assistance program, the women's health program, Medicaid, the Special Supplemental Nutrition Program for Women, Infants, and Children, and a housing program or service or housing assistance.

(b) A state agency shall include in each application for a program, a service, or assistance provided by the agency to adult women:

(1) a space to indicate whether the applicant is a veteran; and

(2) model language informing the applicant that she may be entitled to additional services because of her veteran status.

(c) The commission shall develop the model language required on an application under Subsection (b)(2). The language must include a link to the veterans website established under Section 434.102 or, for an online application, a hyperlink to that website.

Added by Acts 2017, 85th Leg., R.S., Ch. 579 (S.B. 805), Sec. 3, eff. September 1, 2017.

SUBCHAPTER F. VETERAN EDUCATION EXCELLENCE RECOGNITION AWARD
NETWORK

Sec. 434.251. DEFINITIONS. In this subchapter:

(1) "Commission" means the Texas Veterans Commission.

(2) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1193 (S.B. 1158), Sec. 5, eff. September 1, 2014.

Sec. 434.252. VETERAN EDUCATION EXCELLENCE RECOGNITION AWARD NETWORK. (a) The commission by rule shall establish an award program under which institutions of higher education may receive recognition from the commission for excellence in providing education and related services to veterans.

(b) For purposes of receiving an award under Subsection (a), the commission shall evaluate an institution of higher education regarding, as applicable, the existence and quality at the institution of:

(1) a centralized place for students who are veterans to meet or find assistance and information;

(2) an institution employee who serves as a central point of contact for students who are veterans;

(3) a United States Department of Veterans Affairs work-study program;

(4) admissions and enrollment policies for veterans;

(5) new student orientation and courses for veterans;

(6) a student organization for veterans;

(7) academic support services for students who are veterans;

(8) mental health and disability services;

(9) a housing policy that applies to veterans;

(10) faculty and staff training on issues affecting students who are veterans;

(11) career services for students who are veterans;
and

(12) any other criteria considered necessary or appropriate by the commission.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1193 (S.B. 1158), Sec. 5, eff. September 1, 2014.

Sec. 434.253. RULEMAKING AUTHORITY. The commission may adopt rules as necessary to administer this subchapter. In developing rules under this section, the commission shall consult with the Texas Higher Education Coordinating Board and institutions of higher education.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1193 (S.B. 1158), Sec. 5, eff. September 1, 2014.

SUBCHAPTER G. VETERANS EDUCATION COUNSELORS PROGRAM

Sec. 434.301. DEFINITIONS. In this subchapter:

(1) "Commission" means the Texas Veterans Commission.

(2) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1193 (S.B. 1158), Sec. 5, eff. June 14, 2013.

Sec. 434.302. VETERANS EDUCATION COUNSELORS. The commission shall employ veterans education counselors. The veterans education counselors shall:

(1) work with institutions of higher education and any existing veterans programs at those institutions to:

(A) create a hospitable and supportive environment for veterans;

(B) enhance awareness of and encourage participation in veterans educational programs and commission programs providing other services to veterans, including employment and claims assistance services;

(C) develop programs providing ancillary assistance to veterans based on the unique needs of veterans and

their family members;

(D) ensure that veterans successfully complete their education; and

(E) promote the establishment of a student veterans group on each campus of those institutions;

(2) work with local, state, and national veterans groups, including the Veterans of Foreign Wars and the American Legion, to promote educational opportunities and benefits to the veteran population;

(3) work with local workforce development boards to:

(A) ensure that the veterans education counselors are aware of available nontraditional educational opportunities, including on-the-job training programs and apprenticeships; and

(B) advise employers of potential opportunities to create on-the-job training programs for veterans;

(4) work with education services officers at military installations to encourage active duty members of the armed forces of the United States and veterans to use federal and state educational benefits;

(5) create and manage publicity campaigns in concert with the commission and institutions of higher education to promote the use of education benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 (38 U.S.C. Section 3301 et seq.), the tuition exemption program for veterans and their family members under Section 54.341, Education Code, and any other education benefit for veterans or their family members under federal or state law;

(6) support programs to assist students who are combat veterans in readjusting and reintegrating into a noncombat environment;

(7) maintain statistical information regarding demographics of veterans assisted, application success, program completion rates, dropout rates, and reasons for success or failure, as appropriate; and

(8) perform other activities, as assigned by the commission, to enhance the educational opportunities of veterans

and their family members.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1193 (S.B. [1158](#)), Sec. 5, eff. June 14, 2013.

Sec. 434.303. SUPPORT FROM INSTITUTIONS OF HIGHER EDUCATION. Each institution of higher education shall cooperate with the commission to provide information, as permitted by law, related to student veterans at the institution, provide access to veteran resource centers or other student meeting areas, and otherwise support the work of veterans education counselors.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1193 (S.B. [1158](#)), Sec. 5, eff. June 14, 2013.

Sec. 434.304. RULEMAKING AUTHORITY. The commission may adopt rules to implement this subchapter. In developing rules under this section, the commission shall consult with the Texas Higher Education Coordinating Board and institutions of higher education.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1193 (S.B. [1158](#)), Sec. 5, eff. June 14, 2013.

SUBCHAPTER H. STATEWIDE COORDINATION OF MENTAL HEALTH PROGRAM FOR VETERANS

Sec. 434.351. DEFINITIONS. In this subchapter:

- (1) "Commission" means the Texas Veterans Commission.
- (2) "Peer" means a person who is a veteran or a veteran's family member.
 - (2-a) "Peer service coordinator" means a person who recruits and retains veterans, peers, and volunteers to participate in the mental health program for veterans and related activities.
- (3) "Veteran" means a person who has served in:
 - (A) the army, navy, air force, coast guard, or marine corps of the United States;
 - (B) the state military forces as defined by Section [431.001](#); or
 - (C) an auxiliary service of one of those branches

of the armed forces.

(4) Repealed by Acts 2017, 85th Leg., R.S., Ch. 512 (S.B. 27), Sec. 8(1), eff. September 1, 2017.

Added by Acts 2015, 84th Leg., R.S., Ch. 324 (H.B. 19), Sec. 2, eff. June 4, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 512 (S.B. 27), Sec. 2, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 512 (S.B. 27), Sec. 8(1), eff. September 1, 2017.

Sec. 434.352. DUTIES. (a) The commission and the Health and Human Services Commission shall coordinate to administer the mental health program for veterans developed under Chapter 1001, Health and Safety Code.

(b) For the mental health program for veterans, the commission shall:

(1) provide training to peer service coordinators and peers in accordance with Section 434.353;

(2) provide technical assistance to peer service coordinators and peers;

(3) identify, train, and communicate with community-based licensed mental health professionals, community-based organizations, and faith-based organizations;

(4) coordinate services for justice involved veterans;

(5) coordinate local delivery to veterans and immediate family members of veterans of mental health first aid for veterans training; and

(6) employ and train mental health professionals to assist the Health and Human Services Commission in the administration of the program.

(c) Subject to Section 434.3525, the executive director of the commission shall appoint a program director to administer the mental health program for veterans.

(d) The commission shall provide appropriate facilities in support of the mental health program for veterans to the extent

funding is available for that purpose.

Added by Acts 2015, 84th Leg., R.S., Ch. 324 (H.B. 19), Sec. 2, eff. June 4, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 512 (S.B. 27), Sec. 3, eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 593 (S.B. 601), Sec. 7, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 1327 (H.B. 4429), Sec. 1, eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 725 (H.B. 3821), Sec. 1, eff. September 1, 2021.

Sec. 434.3525. MENTAL HEALTH PROGRAM DIRECTOR ELIGIBILITY. To be eligible for appointment under Section 434.352(c), an individual must:

(1) have at least a master's degree in a recognized mental health field;

(2) be licensed in this state to practice a mental health profession;

(3) have multiple years of postgraduate experience in a human services setting, such as a community mental health center, chemical dependency rehabilitation center, or residential treatment facility; and

(4) have experience in providing trauma-informed care, with preference given to a candidate with at least two years of that experience.

Added by Acts 2019, 86th Leg., R.S., Ch. 593 (S.B. 601), Sec. 8, eff. September 1, 2019.

Sec. 434.353. TRAINING AND CERTIFICATION. (a) The commission shall develop and implement methods for providing peer service coordinator certification training to peer service coordinators, including providing training for initial certification and recertification and providing continuing education.

(b) The commission shall manage and coordinate the peer

training program to include initial training, advanced training, certification, and continuing education for peers associated with the mental health program for veterans.

Added by Acts 2015, 84th Leg., R.S., Ch. 324 (H.B. 19), Sec. 2, eff. June 4, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 512 (S.B. 27), Sec. 4, eff. September 1, 2017.

SUBCHAPTER I. COMMUNITY COLLABORATION INITIATIVE

Sec. 434.401. COMMUNITY COLLABORATION. (a) The commission and the Department of State Health Services shall include as a part of the mental health program for veterans described by Section 434.352(a) an initiative to encourage local communities to conduct cross-sector collaboration to synchronize locally accessible resources available for veterans and military service members.

(b) The initiative must be designed to encourage local communities to form a committee that is tasked with developing a plan to identify and support the needs of veterans and military service members residing in their community. The commission may designate general areas of focus for the initiative.

Added by Acts 2015, 84th Leg., R.S., Ch. 324 (H.B. 19), Sec. 2, eff. June 4, 2015.