

BILL ANALYSIS

C.S.H.B. 3310
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Defense & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There have been calls for the state to do more to ensure that appropriate support, assistance, and treatment are provided to incarcerated veterans, particularly with regard to disability benefits. In light of studies indicating that a large percentage of applications for federal disability benefits submitted by incarcerated veterans are denied at least in part due to certain mistakes made in the application process, C.S.H.B. 3310 seeks to require that appropriate health care personnel assist an inmate who is a veteran in obtaining disability benefits upon request.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3310 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ), for purposes of assisting an inmate who is a veteran in obtaining federal veterans disability benefits, to ensure that, as soon as practicable after receiving a request from the inmate:

- an appropriate medical or health care professional assists the inmate in completing a disability benefits questionnaire and conducts any necessary examination or evaluation of the inmate at the facility in which the inmate is confined or at another appropriate location; and
- the questionnaire or other documents required for the inmate to receive benefits are submitted to the U.S. Department of Veterans Affairs (VA) or a veterans service organization chartered by the U.S. Congress or recognized by the VA.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3310 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision establishing that the assistance that TDCJ is required to provide under the bill's provisions is provided as soon as practicable after TDCJ receives a request from an inmate.

The substitute includes a provision requiring TDCJ to ensure that an appropriate medical or health care professional conducts any necessary examination or evaluation of the inmate.

The substitute includes a provision requiring TDCJ to ensure that the questionnaire or other documents required for the inmate to receive benefits are submitted to the VA or an applicable veterans service organization.