

I am submitting written testimony in support of Senate Bill 392. Although I cannot deliver this message in person, this issue is very important to me as I prepare to deploy to Iraq as a member of the US Army Reserve.

Senate Bill 392 will correct a major deficiency with the The Hazlewood Act's current requirement that, to be eligible, one must have been inducted into the military while a Texas resident. The current law is not fair to soldiers like me who, although inducted while a resident of another state, subsequently become Texas residents and demonstrate a commitment to making Texas our home. I have now been a tax paying Texas resident for over 15 years – all of my adult income earning life. Yet I am not eligible for the Hazlewood Act as currently written. Compare this to a soldier (who I'll call soldier B) that was inducted into the military as a Texas resident, but then leaves Texas and becomes a resident of another state. Even after 20 years, Soldier B can come back to Texas, change his/her residency, and be eligible for the Hazlewood Act within 12 months. This is not fair. After 15 years of residency, I have demonstrated my commitment to being a Texan and should be afforded the benefits provided to Texas veterans.

The inequity of the current law also applies to the ineligibility of my children for the Hazlewood Act if I am killed in action while deployed to Iraq. Although my three children were born and have resided in Texas their entire lives, they are not eligible for the Hazlewood Act. They are not eligible because I was not a Texas resident when inducted into the military. Again, this is not fair if you compare it to soldier B who becomes a resident of another state soon after induction into the military. Consider the situation where soldier B has children while not a Texas resident. Even if his/her children have never stepped foot on Texas soil, his/her children are eligible for the Hazlewood Act as currently written. If Soldier B is killed in action, his/her children can move to Texas, become residents, and be eligible after 12 months. Once again, this is not right. I am a Texan and my children are Texans. If I am killed in action, they should be eligible for the same benefits as other Texas veteran's children.

I believe the intent of the Hazlewood Act was to recognize and support the sacrifices of Texas veterans. Please support Senate Bill 392 to do such.

Thank you,

Rick Story