AN ACT
relating to the use of fraudulent or fictitious military records;
creating an offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Subchapter D, Chapter 32, Penal Code, is amended
by adding Section 32.54 to read as follows:
Sec. 32.54. FRAUDULENT OR FICTITIOUS MILITARY RECORD.
(a) In this section:
(1) "Military record" means an enlistment record,
occupation specialty, medal, award, decoration, or certification
obtained by a person through the person's service in the armed
forces of the United States or the state military forces.
(2) "State military forces" has the meaning assigned
by Section 431.001, Government Code.
(b) A person commits an offense if the person:
(1) uses or claims to hold a military record that the
person knows:
(A) is fraudulent;
(B) is fictitious or has otherwise not been
granted or assigned to the person; or
(C) has been revoked; and
(2) uses or claims to hold that military record:
(A) in a written or oral advertisement or other
promotion of a business; or
(B) with the intent to:

(i) obtain priority in receiving services or resources under Subchapter G, Chapter 302, Labor Code;

(ii) qualify for a veteran's employment preference under Chapter 657, Government Code;

(iii) obtain a license or certificate to practice a trade, profession, or occupation;

(iv) obtain a promotion, compensation, or other benefit, or an increase in compensation or other benefit, in employment or in the practice of a trade, profession, or occupation;

(v) obtain a benefit, service, or donation from another person;

(vi) obtain admission to an educational program in this state; or

(vii) gain a position in state government with authority over another person, regardless of whether the actor receives compensation for the position.

(c) An offense under this section is a Class C misdemeanor.

(d) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section or the other law.

SECTION 2. This Act takes effect September 1, 2011
S.B. No. 431

President of the Senate

I hereby certify that S.B. No. 431 passed the Senate on March 29, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 431 passed the House on May 20, 2011, by the following vote: Yeas 149, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

17 Jun '11

Date

Governor

FILED IN THE OFFICE OF THE SECRETARY OF STATE

JUN 17 2011

Secretary of State