



State of Texas
House of Representatives
Austin

Hugo Berlanga
P. O. Box 2910
Austin, Texas 78769
512-475-5743

Committees:
Natural Resources
Ways and Means

July 17, 1979

Dean H. Vickers
4725 Lansdown
Corpus Christi, Texas 78411

Re: Eligibility standards for the tax
exemption provided disabled persons
by Article VIII, section 1-b(b) of the
Texas Constitution.

Dear Mr. Vickers:

As per our conversation of June 29 and your correspondence of July 2, 1979, in reference to the above-mentioned topic, my office has been doing some research in this area and attempting to obtain a clear definition of the phrase "disabled person" as applied in Article VIII, Section 1-b(b) of the Texas Constitution.

There has been much confusion on the subject and it has proved to be a most complex issue, according to the State Comptroller's office who is currently setting up guidelines outlining those individuals who would be eligible. The Attorney General has issued an Opinion on this and has stated that the intent was to use the definition used under the Federal Old-Age, Survivors, and Disability Insurance Program. Based on this premise the Legal Division in the Comptroller's Office should be coming out with their report within a week or two.

I assure you my staff is in constant touch with the Attorneys in The State Comptroller's office in trying to clear the issue so that we in turn may relay the information to you. In the end, however, we have been warned that although the State Comptroller's office will set up guidelines, the ultimate decision on who will get the exemptions will be left up to the local officials of each County in Texas. In our case, that would be Marvin Townsend and Dana Williams.

It is my opinion, however, that our officials will most probably adhere to the recommendations of the State Comptroller. I assure you we are working on this issue and will try as best we can to clarify the issue for you and other disabled veterans in our district who will also be affected.

Sincerely,

Hugo Berlanga
State Representative

gmm
cc: DAV (Harney Chapter)
✓ American G.I. Forum (Dr. Hector P. Garcia)
NARFE (Chapter 91)

District 48-B