

1-1 By: Bell of Montgomery, Guillen H.B. No. 1062  
 1-2 (Senate Sponsor - Taylor)  
 1-3 (In the Senate - Received from the House April 26, 2021;  
 1-4 May 6, 2021, read first time and referred to Committee on Veteran  
 1-5 Affairs & Border Security; May 19, 2021, reported favorably by the  
 1-6 following vote: Yeas 6, Nays 0; May 19, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			

1-16 A BILL TO BE ENTITLED  
 1-17 AN ACT

1-18 relating to the eligibility of certain 17-year-old persons to serve  
 1-19 as members of the Texas State Guard.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 437.302, Government Code, is amended by  
 1-22 amending Subsection (b) and adding Subsection (d) to read as  
 1-23 follows:

1-24 (b) To serve in the Texas State Guard, a person:

1-25 (1) must be a resident of this state for at least 180  
 1-26 days;

1-27 (2) must be a citizen of the United States or a person  
 1-28 who has been lawfully admitted to the United States for permanent  
 1-29 residence under the Immigration and Nationality Act (8 U.S.C.  
 1-30 Section 1101 et seq.);

1-31 (3) subject to Subsections ~~[Subsection]~~ (c) and (d),  
 1-32 must be at least 17 ~~[18]~~ years of age and not older than 70 years of  
 1-33 age;

1-34 (4) must undergo a criminal history check;

1-35 (5) must not be a registered sex offender; and

1-36 (6) must be acceptable to and approved by the governor  
 1-37 or adjutant general under the governor's direction.

1-38 (d) A person who is at least 17 years of age but younger than  
 1-39 18 years of age may serve in the Texas State Guard if the person:

1-40 (1) is emancipated by marriage, court order, or other  
 1-41 operation of law; or

1-42 (2) provides to the adjutant general, in a form and  
 1-43 manner prescribed by the adjutant general, the written consent of:

1-44 (A) each of the person's parents or legal  
 1-45 guardians, other than a parent or legal guardian who is:

1-46 (i) deceased;

1-47 (ii) determined by a court to be  
 1-48 incapacitated;

1-49 (iii) absent at an unknown location for an  
 1-50 indefinite period; or

1-51 (iv) confined in jail or prison serving a  
 1-52 term of punishment that will result in the parent or guardian being  
 1-53 released after the person's 18th birthday; or

1-54 (B) for a person who is in the managing  
 1-55 conservatorship of the Department of Family and Protective Services  
 1-56 or another legal entity, a representative of the department or  
 1-57 other legal entity.

1-58 SECTION 2. This Act takes effect September 1, 2021.

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