

By: Bumgarner

H.B. No. 5262

A BILL TO BE ENTITLED

AN ACT

relating to the criteria for awarding the Texas Purple Heart Medal.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 437.355(a), Government Code, is amended to read as follows:

(a) The governor or adjutant general, if delegated the authority, may adopt policies and regulations relating to awarding:

(1) the Texas Purple Heart Medal, which shall be awarded to a ~~[service]~~ member of the Texas military forces who:

(A) after September 11, 2001:

(i) was inducted into state active duty ~~[federal service from the Texas National Guard]~~; and

(ii) was wounded or killed in any action against an enemy of the State of Texas ~~[meets the criteria for an award of the federal Purple Heart Medal]~~; or

(B) was wounded or killed at Fort Hood on November 5, 2009;

(2) the Texas Superior Service Medal, which shall be awarded to:

(A) a service member of the Texas military forces who has:

(i) completed 30 or more years of honorable state service or a combination of state and federal service; and

(ii) continually demonstrated superior

1 performance and service while assigned to key leadership positions
2 demanding responsibility; or

3 (B) a civilian who has contributed significant
4 service to the Texas military forces;

5 (3) the Lone Star Distinguished Service Medal, which
6 shall be awarded to a member of the military forces of this state,
7 another state, or the United States for exceptionally outstanding
8 achievement or service to this state in performance of a duty of
9 great responsibility while serving with the Texas military forces
10 for whom the department receives a letter of recommendation for
11 award of the Lone Star Distinguished Service Medal that:

12 (A) gives an account of the exceptional
13 achievement or service; and

14 (B) includes facts and photographs, and extracts
15 from official documents to support and amplify the facts;

16 (4) the Texas Outstanding Service Medal, which shall
17 be awarded to a service member of the military forces of this state,
18 another state, or the United States who has performed service,
19 either individually or as a member of a crew, in a superior and
20 clearly outstanding manner;

21 (5) the Texas Humanitarian Service Medal, which shall
22 be awarded to a service member who:

23 (A) does not meet the criteria for an award of the
24 federal Humanitarian Service Medal;

25 (B) is a member of the Texas military forces; and

26 (C) while serving on state active duty or active
27 duty under state authority in accordance with Title 32, United

1 States Code, participates satisfactorily in defense support to a
2 mission under civilian authority to protect life or property during
3 or soon after a natural disaster or civil unrest in the state;

4 (6) the Texas Homeland Defense Service Medal, which
5 shall be awarded to a service member of the Texas military forces
6 who served:

7 (A) on or after September 11, 2001;

8 (B) on state active duty or active duty under
9 state authority in accordance with Title 32, United States Code;
10 and

11 (C) satisfactorily in defense support to a
12 mission in the state under civilian authority;

13 (7) the Federal Service Medal, which shall be awarded
14 to a service member who was inducted into federal service from the
15 Texas military forces between June 15, 1940, and January 1, 1946, or
16 after June 1, 1950, if the service was for more than 90 days;

17 (8) the Texas Combat Service Ribbon, which shall be
18 awarded to a service member of the Texas National Guard who served,
19 after September 11, 2001, in a hostile fire zone as designated by
20 the United States secretary of defense;

21 (9) the Texas Faithful Service Medal, which shall be
22 awarded to a member of the Texas military forces who has completed
23 five years of honorable service during which the service member has
24 shown fidelity to duty, efficient service, and great loyalty to
25 this state;

26 (10) the Texas Medal of Merit, which shall be awarded
27 to a member of the military forces of this state, another state, or

1 the United States who performs outstanding service or attains
2 extraordinary achievement, either individually or as a member of a
3 crew, in behalf of the state or United States;

4 (11) the Texas State Guard Service Medal, which shall
5 be awarded to a service member who completes three consecutive
6 years of honorable service in the Texas State Guard during which the
7 service member has shown fidelity to duty, efficient service, and
8 great loyalty to this state;

9 (12) the Texas Desert Shield/Desert Storm Campaign
10 Medal, which shall be awarded to a service member who was inducted
11 into federal service from the Texas National Guard after August 1,
12 1990, in support of Operation Desert Shield or Operation Desert
13 Storm, without regard to the place that the service member was
14 deployed while serving on active federal military duty;

15 (13) the Texas Iraqi Campaign Medal, which shall be
16 awarded to a service member who was inducted into federal service
17 from the Texas National Guard, without regard to the place that the
18 service member was deployed while serving on active federal
19 military duty, after:

20 (A) March 19, 2003, in support of Operation Iraqi
21 Freedom; or

22 (B) August 31, 2010, in support of Operation New
23 Dawn;

24 (14) the Texas Afghanistan Campaign Medal, which shall
25 be awarded to a service member who was inducted into federal service
26 from the Texas National Guard after October 6, 2001, in support of
27 Operation Enduring Freedom, without regard to the place that the

1 service member was deployed while serving on active federal
2 military duty;

3 (15) the Cold War Medal, which, subject to Subsection
4 (c), shall be awarded to a member of the military forces of this
5 state or the United States who:

6 (A) served between September 2, 1945, and
7 December 26, 1991; and

8 (B) was a resident of this state at the time the
9 service member entered military service; and

10 (16) the Texas Border Security and Support Service
11 Ribbon, which shall be awarded to a service member of the military
12 forces of this state, another state, or the United States who
13 served:

14 (A) on or after July 28, 2014;

15 (B) on state active duty or active duty under
16 state authority in accordance with Title 32, United States Code,
17 for at least 90 consecutive days, or in response to an emergency
18 activation; and

19 (C) honorably in support of operations under
20 civilian authority to secure this state's international border.

21 SECTION 2. Subchapter H, Chapter 437, Government Code, is
22 amended by adding Section 437.3551 to read as follows:

23 Sec. 437.3551. AWARDING OF TEXAS PURPLE HEART MEDAL. (a)

24 In this section:

25 (1) "Medical officer" means a physician who holds an
26 officer rank in the Texas military forces or a branch of the United
27 States armed forces.

1 (2) "Medical professional" means a physician or
2 physician extender.

3 (3) "Physician extender" means any health care
4 professional licensed to provide health care to a patient,
5 including a nurse practitioner or physician assistant.

6 (4) "Wound" means an injury to any part of the body
7 from an outside force or agent. A physical lesion is not required.

8 (b) To be eligible for the Texas Purple Heart Medal the
9 service member's wound must have been of such severity that it
10 required treatment, not merely examination, by:

11 (1) a medical officer; or

12 (2) a medical professional other than a medical
13 officer provided a medical officer includes a statement in the
14 service member's medical record that the severity of the wound was
15 such that it would have required treatment by a medical officer if
16 one had been available to provide treatment.

17 (c) The department shall review the service member's
18 medical records to confirm the member's eligibility for the Texas
19 Purple Heart Medal.

20 (d) A service member may be awarded only one Texas Purple
21 Heart Medal.

22 SECTION 3. This Act takes effect September 1, 2023.