

BILL ANALYSIS

C.S.H.B. 573

By: Hunter

Defense Affairs and State-Federal Relations
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Legislative Medal of Honor (TLMH) was established by the 58th Texas Legislature, and has been awarded three times throughout its history to those who voluntarily perform a deed of personal bravery or self-sacrifice involving risk of life that is so conspicuous as to clearly distinguish the person for gallantry and intrepidity above the person's comrades. Under current law, the Governor determines who the nominee for the TLMH will be, and the Medal is awarded by the Governor upon passage of a resolution confirming this person by both bodies of the Legislature. Also, there are currently no residency requirements for the TLMH. C.S.H.B. 573 designates certain residency requirements, nomination conditions, and awarding criteria for the TLMH award. The bill also allows a special committee of legislative members and the Texas Adjutant General to designate who will receive the award.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends the Government Code to include the requirements for a person's eligibility to receive the Texas Legislative Medal of Honor (TLMH). In addition to requirements associated with bravery and self-sacrifice outlined in subsection (a); to be eligible for the TLMH, a person must: (1) have been born in this state; (2) reside in this state or have been a resident of this state on the person's death; or (3) have been a resident of this state when the person entered military service. If the person has already received another medal or award by the United States, it does not preclude them from eligibility for the TLMH award. C.S.H.B. 573 also requires a person to be nominated during a regular session of the legislature by majority vote of all the members of a nominating committee.

SECTION 2. Amends the Government Code to allow the Governor to award the TLMH as directed by the Legislature.

SECTION 3 Effective Date: September 1, 2003, unless the Act receives the necessary votes for immediate effect.

COMPARISON OF SUBSTITUTE TO ORIGINAL

The substitute modifies the original version of the bill in SECTION 1 by adding that a person who has served in federal military service may also be eligible to receive the award.

The Substitute modifies the original version of the bill in SECTION 2 by striking the requirement for the Governor to award the medal and returning the bill to current statutory language.

