

BILL ANALYSIS

C.S.H.B. 1937
By: Gallego
State Cultural and Recreational Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Since September 11, 2001, the focus of public attention has been on the sacrifices called for and made by first responders that serve our state and its citizens. The State of Texas does not currently have a process to officially honor these men and women who sustain serious or fatal injuries in the line of duty. CSHB 1937 creates the Star of Texas Awards which can be awarded to the next of kin of those killed, or those who die as a result of wounds received in the line of duty, or to a surviving first responder who has been severely wounded in the line of duty.

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.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle A, Title 11, Government Code, by adding a new Chapter 3105 as follows:

Chapter 3105. STAR OF TEXAS AWARDS.

Sec. 3105.001. DEFINITIONS. This section defines "emergency medical first responder" as an employee or volunteer of the state, a political subdivision, or an emergency medical services provider who provides urgent on-site medical care to the sick or injured; clarifies that the term "firefighter" also includes those who are volunteer firefighters; and defines "peace officer" as a peace officer commissioned by the state or a political subdivision of the state under Article 2.12, Code of Criminal Procedure, or other law.

Sec. 3105.002. PEACE OFFICERS' STAR OF TEXAS AWARD. Provides that the Peace Officers' Star of Texas Award may be awarded to a peace officer who is seriously injured in the line of duty or to the surviving next of kin of a peace officer who is killed or sustains a fatal injury in the line of duty. This section requires that the Peace Star of Texas Award Advisory Committee advise the governor on the issuance, design, and presentation of the Peace Officers' Star of Texas Award and that the committee consist of three current or retired peace officers appointed by the governor who have each served with distinction during a lengthy career as a peace officer.

Sec. 3105.003. FIREFIGHTERS' STAR OF TEXAS AWARD. This section provides that the Firefighters' Star of Texas Award may be awarded to a firefighter who is seriously injured in the line of duty or to the surviving next of kin of a firefighter who is killed or sustains a fatal injury in the line of duty. This section requires that the Firefighters' Star of Texas Award Advisory Committee advise the governor on the issuance, design, and presentation of the Firefighters' Star of Texas Award and that the committee consist of three current or retired firefighters appointed by the governor who have each served with distinction during a lengthy career as a firefighter.

Sec. 3105.004. FIRST RESPONDERS' STAR OF TEXAS AWARD. This section provides that the First Responders' Star of Texas Award may be awarded to an emergency medical first responder who

is seriously injured in the line of duty or the surviving next of kin of an emergency medical responder who is killed or sustains a fatal injury in the line of duty. This section requires that the First Responders' Star of Texas Award Advisory Committee advise the governor on the issuance, design, and presentation of the First Responders' Star of Texas Award, and that the committee consist of three current or retired first responders appointed by the governor who have each served with distinction during a lengthy career as a first responder.

Sec. 3105.005. GENERAL MATTERS AFFECTING ADVISORY COMMITTEE. This section provides that the length of service for each member, and the presiding officer of each advisory committee be left to the will of the governor. This section also states that a member of an advisory committee may not receive compensation for his duty as a committee advisor, but is entitled to reimbursement of the travel expenses incurred while he or she conducts the business of the committee.

An advisory committee is not subject to Chapter 2110 of the Government Code.

Sec. 3105.006. PRESENTATION; AWARD. This section provides that the governor, or a representative of the governor, present in the name of the state a star of Texas award under this chapter to the appropriate, qualified recipient or their surviving next of kin during a public ceremony. This section requires that the award consist, at a minimum, of a medal, a certificate, and a ribbon suitable for wearing on a uniform.

Sec. 3105.007. RECOMMENDATION OF AWARD. This section provides that any person having knowledge of a peace officer, firefighter, or emergency medical first responder who has been seriously injured, killed, or sustained fatal injuries may submit a recommendation in writing to the appropriate committee under this chapter.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute changes the name of the award from **'Texas Memorial Medal of Valor'** to **'Star of Texas Award'**.

The substitute clarifies the definition of an 'Emergency medical first responder'.

The substitute adds wording to allow the Award to be presented to those who 'sustain a fatal injury in the line of duty' in addition to those who are killed in the line of duty as stated in the original bill.

The substitute allows members of the advisory committee to be reimbursed for expenses incurred by the member while conducting the business of the committee. The original bill did not allow compensation.