

By: Hunter

H.B. No. 573

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Legislative Medal of Honor and other state military awards.

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

SECTION 1. Section 431.131, Government Code, is amended to read as follows:

Sec. 431.131. TEXAS LEGISLATIVE MEDAL OF HONOR. (a) The Texas Legislative Medal of Honor shall be awarded to a member of the state military forces designated by concurrent resolution of the legislature who voluntarily performs 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. Awarding of the medal shall be considered on the standard of extraordinary merit. The medal may be awarded only on incontestable proof of performance of the deed. To be eligible for the Texas Legislative Medal of Honor, 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.

(b) A person is not ineligible for the [The] Texas Legislative Medal of Honor because the person has received any other medal or award for military service, including a medal or

1 award made by the United States [~~may be awarded to any person who~~  
2 ~~has been awarded the Congressional Medal of Honor~~].

3 (c) To receive the Texas Legislative Medal of Honor, a  
4 person must be nominated during a regular session of the  
5 legislature by majority vote of all the members of a nominating  
6 committee consisting of:

7 (1) the adjutant general or the adjutant general's  
8 designated representative;

9 (2) the lieutenant governor or the lieutenant  
10 governor's designated representative;

11 (3) the speaker of the house of representatives or the  
12 speaker's designated representative; and

13 (4) the chair of the standing committee of each house  
14 of the legislature with primary jurisdiction over military and  
15 veterans affairs.

16 (d) The legislature by concurrent resolution may direct the  
17 governor to award the Texas Legislative Medal of Honor to a person  
18 nominated by the nominating committee. The committee chairs  
19 serving on the nominating committee shall jointly prepare a  
20 concurrent resolution directing the governor to award the medal to  
21 a person nominated. The legislature may direct the medal to be  
22 awarded only during a regular session and may not direct the medal  
23 to be awarded to more than one person during a regular session.

24 SECTION 2. Section 431.136, Government Code, is amended to  
25 read as follows:

26 Sec. 431.136. AWARDING. The governor shall award [~~awards~~]  
27 the Texas Legislative Medal of Honor as directed [~~only on approval~~]

1 by the legislature under Section 431.131 [~~by concurrent~~  
2 ~~resolution~~]. The governor awards the Lone Star Medal of Valor,  
3 [~~and~~] Lone Star Distinguished Service Medal, or any other award  
4 authorized by this subchapter on recommendation of the adjutant  
5 general.

6 SECTION 3. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2003.