

1-1 By: Hunter (Senate Sponsor - Van de Putte) H.B. No. 573
1-2 (In the Senate - Received from the House May 7, 2003;
1-3 May 9, 2003, read first time and referred to Committee on Veteran
1-4 Affairs and Military Installations; May 22, 2003, reported
1-5 favorably by the following vote: Yeas 4, Nays 0; May 22, 2003, sent
1-6 to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the Texas Legislative Medal of Honor and other state
1-10 military awards.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 431.131, Government Code, is amended to
1-13 read as follows:

1-14 Sec. 431.131. TEXAS LEGISLATIVE MEDAL OF HONOR. (a) The
1-15 Texas Legislative Medal of Honor shall be awarded to a member of the
1-16 state or federal military forces designated by concurrent
1-17 resolution of the legislature who voluntarily performs a deed of
1-18 personal bravery or self-sacrifice involving risk of life that is
1-19 so conspicuous as to clearly distinguish the person for gallantry
1-20 and intrepidity above the person's comrades. Awarding of the medal
1-21 shall be considered on the standard of extraordinary merit. The
1-22 medal may be awarded only on incontestable proof of performance of
1-23 the deed. To be eligible for the Texas Legislative Medal of Honor,
1-24 a person must:

1-25 (1) have been born in this state;

1-26 (2) reside in this state or have been a resident of
1-27 this state on the person's death; or

1-28 (3) have been a resident of this state when the person
1-29 entered military service.

1-30 (b) A person is not ineligible for the [The] Texas
1-31 Legislative Medal of Honor because the person has received any
1-32 other medal or award for military service, including a medal or
1-33 award made by the United States [may be awarded to any person who
1-34 has been awarded the Congressional Medal of Honor].

1-35 (c) To receive the Texas Legislative Medal of Honor, a
1-36 person must be nominated during a regular session of the
1-37 legislature by majority vote of all the members of a nominating
1-38 committee consisting of:

1-39 (1) the adjutant general or the adjutant general's
1-40 designated representative;

1-41 (2) the lieutenant governor or the lieutenant
1-42 governor's designated representative;

1-43 (3) the speaker of the house of representatives or the
1-44 speaker's designated representative; and

1-45 (4) the chair of the standing committee of each house
1-46 of the legislature with primary jurisdiction over military and
1-47 veterans affairs.

1-48 (d) The legislature by concurrent resolution may direct the
1-49 governor to award the Texas Legislative Medal of Honor to a person
1-50 nominated by the nominating committee. The committee chairs
1-51 serving on the nominating committee shall jointly prepare a
1-52 concurrent resolution directing the governor to award the medal to
1-53 a person nominated. The legislature may direct the medal to be
1-54 awarded only during a regular session and may not direct the medal
1-55 to be awarded to more than one person during a regular session.

1-56 SECTION 2. Section 431.136, Government Code, is amended to
1-57 read as follows:

1-58 Sec. 431.136. AWARDING. The governor awards the Texas
1-59 Legislative Medal of Honor as directed [only on approval] by the
1-60 legislature under Section 431.131 [by concurrent resolution]. The
1-61 governor awards the Lone Star Medal of Valor, [and] Lone Star
1-62 Distinguished Service Medal, or any other award authorized by this
1-63 subchapter on recommendation of the adjutant general.

1-64 SECTION 3. This Act takes effect immediately if it receives

2-1 a vote of two-thirds of all the members elected to each house, as
2-2 provided by Section 39, Article III, Texas Constitution. If this
2-3 Act does not receive the vote necessary for immediate effect, this
2-4 Act takes effect September 1, 2003.

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