

By: Riddle

H.B. No. 1753

A BILL TO BE ENTITLED

AN ACT

1
2 relating to supplemental pay for members of the Texas National
3 Guard who suffer economic hardship when called to active military
4 duty.

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

6 SECTION 1. Section 431.0821, Government Code, is amended by
7 amending Subsections (a) and (e) and adding Subsection (f) to read
8 as follows:

9 (a) A person who is called to active military duty as a
10 member of the Texas National Guard in the service of this state or
11 the United States by proper federal or state authority and who
12 suffers an economic hardship caused by an income reduction of 25
13 percent or more as a result of serving on active duty is eligible to
14 receive supplemental pay for serving on active duty in accordance
15 with this section.

16 (e) The adjutant general shall [~~may~~] adopt rules to
17 implement this section, including rules that prescribe the
18 procedure for requesting supplemental pay and that prescribe
19 evidence a member may or must present to demonstrate hardship. The
20 comptroller, in consultation with the adjutant general, shall [~~may~~]
21 adopt rules to govern the manner and method of paying supplemental
22 pay under this section.

23 (f) The adjutant general is the final arbiter of any dispute
24 arising from this section. A member may not appeal a decision of

1 the adjutant general under this section to a court.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2005.