

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 10, 2007**

**TO:** Honorable Frank Corte, Jr., Chair, House Committee on Defense Affairs & State-Federal Relations

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB518** by Ellis (Relating to death benefits for the survivors of certain members of the Texas National Guard.), **As Engrossed**

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| <b>Estimated Two-year Net Impact to General Revenue Related Funds</b> for SB518, As Engrossed: a negative impact of (\$2,750,000) through the biennium ending August 31, 2009. |
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**General Revenue-Related Funds, Five-Year Impact:**

| <b>Fiscal Year</b> | <b>Probable Net Positive/(Negative)<br/>Impact to General Revenue Related<br/>Funds</b> |
|--------------------|---|
| 2008               | (\$2,000,000)   |
| 2009               | (\$750,000)   |
| 2010               | (\$750,000)   |
| 2011               | (\$750,000)   |
| 2012               | (\$750,000)   |

**All Funds, Five-Year Impact:**

| <b>Fiscal Year</b> | <b>Probable Savings/(Cost) from<br/>GENERAL REVENUE FUND<br/>1</b> |
|--------------------|--|
| 2008               | (\$2,000,000)  |
| 2009               | (\$750,000)  |
| 2010               | (\$750,000)  |
| 2011               | (\$750,000)  |
| 2012               | (\$750,000)  |

**Fiscal Analysis**

The bill would amend the Government Code by adding a chapter that applies to an eligible survivor of a member of the Texas National Guard who has died after September 11, 2001 while serving on federal active duty or serving in a named military operation on active duty under state authority in accordance with Title 32, United States code. The bill states that the state shall pay \$250,000 to the eligible survivor of an individual or the appropriate pro rata portion of that amount to the eligible survivors of the individual. According to the Adjutant General's Department (AGD), members on federal active duty include those members who are deployed to a hostile fire zone/combat zone and those members performing weekend drill. An example of a named military operation of Title 32 status includes Operation Jump Start which is a Texas Border Support mission.

**Methodology**

According to the Adjutant General's Department, since September 11, 2001, eight (8) Texas National Guard

members have died on duty in a hostile fire zone/combat zone and estimates the cost would be \$2.0 million (8 members X \$250,000) for fiscal year 2008. At this time, the number of members who have died other than in a hostile fire zone/combat zone is unknown and the AGD estimates that the number could be three (3) to five (5) members per year. The estimated cost for each of the subsequent years is \$750,000 (3 members X \$250,000).

The Comptroller of Public Accounts has determined that the costs associated with implementing the bill are not anticipated to be significant to their office.

### **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 401 Adjutant General's Department

**LBB Staff:** JOB, ES, GG, SDO