

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Martinez, Escobar, Herrero, Guillen,  
Leibowitz

H.B. No. 1260

A BILL TO BE ENTITLED

AN ACT

relating to exempting certain military personnel from certain state  
and local governmental fees.

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

SECTION 1. Subchapter B, Chapter 431, Government Code, is  
amended by adding Section 431.039 to read as follows:

Sec. 431.039. EXEMPTION FROM FEES FOR MILITARY PERSONNEL  
BEING DEPLOYED. (a) A member of the National Guard on federal  
active duty, or a member of the armed forces of the United States on  
active duty, who is preparing to be deployed to serve in a hostile  
fire zone as designated by the United States secretary of defense is  
exempt from paying any state or local governmental fee the member  
incurs because of the deployment to arrange the member's personal  
affairs.

(b) The adjutant general shall by rule:

(1) identify fees that qualify for the exemption,  
which must include fees for:

(A) obtaining copies of birth certificates or  
marriage certificates; and

(B) transferring property titles; and

(2) after consultation with federal authorities,  
prescribe the manner in which a governmental entity is made aware of  
the right to an exemption.

SECTION 2. This Act takes effect September 1, 2007.

# ADOPTED

MAY 08 2007

*Leta Spaw*  
Secretary of the Senate

By: *De A. H. J.*

H.B. No. 1260

Substitute the following for \_\_.B. No. \_\_\_\_:

By: *Craig Estes*

C.S. \_\_.B. No. \_\_\_\_

## A BILL TO BE ENTITLED

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

SECTION 1. Subchapter B, Chapter 431, Government Code, is amended by adding Section 431.039 to read as follows:

Sec. 431.039. EXEMPTION FROM FEES FOR MILITARY PERSONNEL BEING DEPLOYED. A member of the National Guard on federal active duty, or a member of the armed forces of the United States on active duty, who is preparing to be deployed to serve in a hostile fire zone as designated by the United States secretary of defense is exempt from paying the following state or local governmental fees the member incurs because of the deployment to arrange the member's personal affairs:

(1) fees for obtaining copies of:

(A) a birth certificate;

(B) a recorded marriage license;

(C) a divorce decree;

(D) a child support order;

(E) guardianship documents; and

(F) property tax records;

(2) fees for issuing a marriage license or duplicate marriage license; and

(3) fees for transferring title to real or personal

1 property.

2 SECTION 2. This Act takes effect September 1, 2007.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**April 27, 2007**

**TO:** Honorable Leticia Van de Putte, Chair, Senate Committee on Veteran Affairs & Military Installations

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

**IN RE: HB1260** by Martinez, "Mando" (Relating to exempting certain military personnel from certain state and local governmental fees. ), **Committee Report 2nd House, Substituted**

The probable impact of the bill cannot be determined due to the unavailability of information related to the number of military personnel who will be deployed and who would be exempt from paying certain state and local fees incurred as the result of arranging personal affairs in preparing to be deployed to a hostile fire zone.

The bill would amend the Government Code by exempting certain active duty military personnel from paying certain state and local fees incurred as the result of arranging personal affairs in preparing to be deployed to a hostile fire zone. The bill includes exempting from fees for obtaining copies of birth certificates, marriage certificates, divorce decrees, child support orders, guardianship documents, property tax records, and transferring property titles. The Department of State Health Services (DSHS) states that the fee for a birth certificate is \$22 and the fee for marriage verification is \$20. The cost to the state and local governments would depend on the number of military personnel being deployed to a hostile fire zone. According to the Adjutant General's Department and the Comptroller of Public Accounts, the number of military personnel being deployed cannot be determined.

The Adjutant General's Department has determined that the cost of implementing the bill would not be significant.

**Local Government Impact**

According to the Department of State Health Services, most of the exempt records would be issued through the local registrar's office and by county clerks. The fiscal impact to local government for the loss of revenues for the exempted fees cannot be estimated because the number of military personnel being deployed is unknown.

**Source Agencies:** 304 Comptroller of Public Accounts, 401 Adjutant General's Department, 537 State Health Services, Department of

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

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

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

**April 21, 2007**

**TO:** Honorable Leticia Van de Putte, Chair, Senate Committee on Veteran Affairs & Military Installations

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

**IN RE: HB1260** by Martinez, "Mando" (Relating to exempting certain military personnel from certain state and local governmental fees.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Government Code by exempting certain active duty military personnel from paying state and local fees incurred as the result of arranging personal affairs in preparing to deploy to a hostile fire zone. The bill would require the Adjutant General's Department (AGD) to identify the applicable fees and to prescribe the procedure of notifying governmental entities of the right to exemption from fees. The Department of State Health Services (DSHS) has stated that the fee for a birth certificate is \$22 and fee for marriage verification is \$20. Most birth records are issued through the local registrar's office and marriage certificates are issued by county clerks. The cost to the state and local governments would depend on the number of military personnel being deployed to a hostile fire zone. The Adjutant General's Department has determined that the cost of implementing the bill would not be significant.

**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, 537 State Health Services, Department of

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

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

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

**March 17, 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:** **HB1260** by Martinez, "Mando" (Relating to exempting certain military personnel from certain state and local governmental fees.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Government Code by exempting certain active duty military personnel from paying state and local fees incurred as the result of arranging personal affairs in preparing to deploy to a hostile fire zone. The bill would require the Adjutant General's Department (AGD) to identify the applicable fees and to prescribe the procedure of notifying governmental entities of the right to exemption from fees. The Department of State Health Services (DSHS) has stated that the fee for a birth certificate is \$22 and fee for marriage verification is \$20. Most birth records are issued through the local registrar's office and marriage certificates are issued by county clerks. The cost to the state and local governments would depend on the number of military personnel being deployed to a hostile fire zone. The Adjutant General's Department has determined that the cost of implementing the bill would not be significant.

**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, 537 State Health Services, Department of

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