

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: HJR127 by King, Phil (Proposing a constitutional amendment to allow an officer or enlisted member of the Texas State Guard or other state militia or military force to hold other civil offices.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HJR127, As Passed 2nd House: a negative impact of (\$3,090,882) through the biennium ending August 31, 2011.
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General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	(\$2,340,882)
2011	(\$750,000)
2012	(\$750,000)
2013	(\$750,000)
2014	(\$750,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1
2010	(\$2,340,882)
2011	(\$750,000)
2012	(\$750,000)
2013	(\$750,000)
2014	(\$750,000)

Fiscal Analysis

The proposed resolution would amend the Texas Constitution by allowing an officer or enlisted member of the Texas State Guard or other state military force to hold other civil offices. Additionally, the bill would amend the Government Code by allowing that 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 could be paid death benefits. The bill would allow that \$250,000 be paid 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 drills. The bill would allow the AGD to certify to the Comptroller of Public Accounts the name of the eligible survivor who could be paid the benefit as specified in the bill and also the amount of the benefit being paid.

Methodology

According to the AGD, since September 11, 2001, nine Texas National Guard members have died on duty in a hostile fire zone/combat zone and therefore the estimated cost would be \$2.25 million (9 members multiplied by \$250,000) for fiscal year 2010. At this time, the number of members who have died in places other than in a hostile fire zone/combat zone is unknown. The AGD estimates that the number could be three to five members per year. The estimated cost for each of the subsequent years is \$750,000 (3 members multiplied by \$250,000).

The cost to the state for publication of the resolution is \$90,882 in fiscal year 2010.

Local Government Impact

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

Source Agencies: 401 Adjutant General's Department

LBB Staff: JOB, KJG, GG, SDO, KK