

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION
Revision 1

April 4, 2011

TO: Honorable Joseph Pickett, Chair, House Committee on Defense & Veterans' Affairs

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

IN RE: HB1039 by Alvarado (Relating to death benefits for eligible survivors of certain Texas National Guard members.), **As Introduced**

The bill would amend the Government Code by requiring 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 be paid death benefits.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	(\$4,250,000)
2013	(\$750,000)
2014	(\$750,000)
2015	(\$750,000)
2016	(\$750,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1
2012	(\$4,250,000)
2013	(\$750,000)
2014	(\$750,000)
2015	(\$750,000)
2016	(\$750,000)

Fiscal Analysis

The bill would require 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. The bill would require that the Adjutant General's Department (AGD) certify to the Comptroller of Public Accounts the name of the eligible survivor being paid the benefit as specified in the bill and also the amount of the benefit being paid. The bill requires that the state make the payments as specified in the bill, only if the Legislature appropriates the funding for that purpose.

This bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house. If this bill does not receive the vote necessary for immediate effect, this bill takes effect September 1, 2011.

Methodology

Since September 11, 2001 sixteen (16) Texas National Guard members have died on federal active duty and one (1) member has died in a named military operation on active duty under state authority. The estimated cost for the first year would be \$4.25 million (17 members times \$250,000). The AGD estimates that the cost for each following year would be \$750,000 (3 members times \$250,000).

Local Government Impact

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

Source Agencies: 401 Adjutant General's Department

LBB Staff: JOB, DAR