

## BILL ANALYSIS

C.S.H.B. 150  
By: Larson  
Defense & Veterans' Affairs  
Committee Report (Substituted)

### BACKGROUND AND PURPOSE

Texas is home to many military veterans, reservists, and active duty troops and their families, yet current Texas law does not require half-staff display of the Texas state flag and the United States flag at state buildings in memory of those Texans who have been killed in action while serving their nation. Although the governor has discretionary authority to direct half-staff display in memory of Texans, including fallen military personnel, interested parties note that several other states already have enacted legislation directing half-staff display for fallen military servicemembers, and it is important for Texas to formalize this small gesture of gratitude and appreciation.

C.S.H.B. 150 seeks to recognize and honor the sacrifices of Texans who have fallen in combat by requiring the appropriate half-staff displays of the United States and Texas flags at the Capitol building.

### RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### ANALYSIS

C.S.H.B. 150 amends the Government Code to require the Texas state flag and the United States flag to be flown at half-staff at the Capitol building on the death of a member of the U.S. military who was a Texas resident killed in action. The bill requires the flags to be displayed at half-staff for one day following the date the person's family is notified of the person's death. The bill requires the office of the governor to notify the State Preservation Board of the days on which flags shall be flown at half-staff under this provision.

### EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

### COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 150 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### INTRODUCED

SECTION 1. Section 443.024, Government Code, is amended by adding Subsection (e) to read as follows:

#### HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

(e) The flag of the State of Texas and the flag of the United States shall be flown at half-staff at the Capitol building on the days specified by Section 2165.0061.

SECTION 2. Subchapter A, Chapter 2165, Government Code, is amended by adding Section 2165.0061 to read as follows:

Sec. 2165.0061. DISPLAY OF FLAGS AT HALF-STAFF. The state flag and the flag of the United States shall be displayed at half-staff at each state office building on the death of a member of the armed forces of the United States who was a resident of this state and who was killed in action. The flags shall be displayed at half-staff for one day following the date the person's family is notified of the person's death. The office of the governor shall notify state agencies, including the State Preservation Board, of the days on which flags shall be flown at half-staff under this section.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 1. Section 443.024, Government Code, is amended by adding Subsection (e) to read as follows:

(e) The flag of the State of Texas and the flag of the United States shall be flown at half-staff at the Capitol building on the death of a member of the armed forces of the United States who was a resident of this state and who was killed in action. The flags shall be displayed at half-staff for one day following the date the person's family is notified of the person's death. The office of the governor shall notify the State Preservation Board of the days on which flags shall be flown at half-staff under this subsection.

SECTION 2. Same as introduced version.