

BILL ANALYSIS

C.S.H.B. 1899
By: Schaefer
Defense & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that after former Governor Rick Perry called on the Texas National Guard to deploy to the Texas-Mexico border to assist with border security in 2014, the National Guard personnel began what would become their longest deployment to that area. C.S.H.B. 1899 seeks to recognize any member of the state military forces who has satisfactorily participated in border security operations.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 1899 reenacts and amends Section 437.355, Government Code, to incorporate amendments made to Section 431.134, Government Code, by Chapter 243 (H.B. 402), Acts of the 83rd Legislature, Regular Session, 2013, and to include among the medals and ribbons for which the governor or the adjutant general, if the adjutant general is delegated the authority, is authorized to adopt policies and regulations relating to the awarding of such medals and ribbons the Texas Border Security and Support Service Ribbon, which is required to be awarded to a member of the state military forces who served on or after July 28, 2014, on state active duty and satisfactorily in support of operations to secure the Texas border.

C.S.H.B. 1899 repeals Section 431.134, Government Code.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1899 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 431.134, Government Code, is amended to read as follows:

Sec. 431.134. OTHER AWARDS. The adjutant general may adopt rules and regulations relating to the:

(1) Texas Faithful Service Medal, which shall be awarded to a member of the state military forces who has completed five years of honorable service during which the person has shown fidelity to duty, efficient service, and great loyalty to the state;

(2) Federal Service Medal, which shall be awarded to a person who was inducted into federal service from the state military forces between June 15, 1940, and January 1, 1946, or after June 1, 1950, if the service was for more than 90 days;

(3) Texas Medal of Merit, which may be presented to a member of the military forces of this state, another state, or the United States who performs outstanding service or attains extraordinary achievement in behalf of the state or United States;

(4) Texas Outstanding Service Medal, which may be presented to a member of the military forces of this state, another state, or the United States who has performed service in a superior and clearly outstanding manner;

(5) Texas State Guard Service Medal, which shall be awarded to a person who completes three consecutive years of honorable service in the Texas State Guard during which the person has shown fidelity to duty, efficient service, and great loyalty to the state;

(6) Texas Desert Shield/Desert Storm Campaign Medal, which shall be awarded to a person who was inducted into federal service from the Texas National Guard after August 1, 1990, in support of Operation Desert Shield or Operation Desert Storm, without regard to the place that the person was deployed while serving on active federal military duty;

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 437.355, Government Code, is reenacted to incorporate amendments made to Section 431.134, Government Code, by Chapter 243 (H.B. 402), Acts of the 83rd Legislature, Regular Session, 2013, and amended to read as follows:

Sec. 437.355. OTHER AWARDS. (a) The governor or adjutant general, if delegated the authority, may adopt policies and regulations relating to awarding:

(9) the Texas Faithful Service Medal, which shall be awarded to a member of the Texas military forces who has completed five years of honorable service during which the service member has shown fidelity to duty, efficient service, and great loyalty to this state;

(7) the Federal Service Medal, which shall be awarded to a service member who was inducted into federal service from the Texas military forces between June 15, 1940, and January 1, 1946, or after June 1, 1950, if the service was for more than 90 days;

(10) the Texas Medal of Merit, which shall be awarded to a member of the military forces of this state, another state, or the United States who performs outstanding service or attains extraordinary achievement in behalf of the state or United States;

(4) the Texas Outstanding Service Medal, which shall be awarded to a service member of the military forces of this state, another state, or the United States who has performed service in a superior and clearly outstanding manner;

(11) the Texas State Guard Service Medal, which shall be awarded to a service member who completes three consecutive years of honorable service in the Texas State Guard during which the service member has shown fidelity to duty, efficient service, and great loyalty to this state;

(12) the Texas Desert Shield/Desert Storm Campaign Medal, which shall be awarded to a service member who was inducted into federal service from the Texas National Guard after August 1, 1990, in support of Operation Desert Shield or Operation Desert Storm, without regard to the place that the service member was deployed while serving on active federal military duty;

(7) Texas Humanitarian Service Medal, which shall be awarded to a person who:

- (A) does not meet the criteria for an award of the federal Humanitarian Service Medal;
- (B) is a member of the state military forces; and
- (C) while serving under state active duty orders, participates satisfactorily in the accomplishment of missions to protect life or property during or soon after a natural disaster or civil unrest;

(8) Texas Cavalry Medal, which shall be awarded to a person who:

(A) served on or after September 11, 2001, in the 124th Cavalry, Texas Army National Guard; and

(B) served in a hostile fire zone as designated by the United States secretary of defense;

(9) Texas Combat Service Ribbon, which shall be awarded to a member of the Texas National Guard who served, after September 11, 2001, in a hostile fire zone as designated by the United States secretary of defense;

(10) Texas Purple Heart Medal, which shall be awarded to a person who, after September 11, 2001:

(A) was inducted into federal service from the Texas National Guard; and

(B) meets the criteria for an award of the federal Purple Heart Medal; and

(11) Texas Homeland Defense Service Medal, which shall be awarded to a member of the state military forces who served:

(A) on or after September 11, 2001;

(B) on state active duty or active duty under state authority in accordance with Title 32 of the United States Code; and

(C) satisfactorily in defense support to a mission in the state under civilian authority; and

(12) Texas Border Security and Support Service Ribbon, which shall be awarded to any person who:

(A) served, on or after July 28, 2014, in the Texas National Guard or Texas State Guard; and

(B) while serving under state active duty

(5) the Texas Humanitarian Service Medal, which shall be awarded to a service member who:

(A) does not meet the criteria for an award of the federal Humanitarian Service Medal;

(B) is a member of the Texas military forces; and

(C) while serving on state active duty or active duty under state authority in accordance with Title 32, United States Code, participates satisfactorily in defense support to a mission under civilian authority to protect life or property during or soon after a natural disaster or civil unrest in the state;

No equivalent provision.

(8) the Texas Combat Service Ribbon, which shall be awarded to a service member of the Texas National Guard who served, after September 11, 2001, in a hostile fire zone as designated by the United States secretary of defense;

(1) the Texas Purple Heart Medal, which shall be awarded to a service member who, after September 11, 2001:

(A) was inducted into federal service from the Texas National Guard; and

(B) meets the criteria for an award of the federal Purple Heart Medal;

(6) the Texas Homeland Defense Service Medal, which shall be awarded to a service member of the Texas military forces who served:

(A) on or after September 11, 2001;

(B) on state active duty or active duty under state authority in accordance with Title 32, United States Code; and

(C) satisfactorily in defense support to a mission in the state under civilian authority;

(16) the Texas Border Security and Support Service Ribbon, which shall be awarded to a member of the state military forces who served:

(A) on or after July 28, 2014;

(B) on state active duty; and

(C) satisfactorily in support of operations to

orders, participates satisfactorily in support of operations to secure the Southwest Texas Border.

No equivalent provision.

No equivalent provision.

No equivalent provision.

No equivalent provision.

No equivalent provision.

secure the Texas border.

(2) the Texas Superior Service Medal, which shall be awarded to:

(A) a service member of the Texas military forces who has:

(i) completed 30 or more years of honorable state service or a combination of state and federal service; and

(ii) continually demonstrated superior performance and service while assigned to key leadership positions demanding responsibility; or

(B) a civilian who has contributed significant service to the Texas military forces;

(3) the Lone Star Distinguished Service Medal, which shall be awarded to a member of the military forces of this state, another state, or the United States for exceptionally outstanding achievement or service to this state in performance of a duty of great responsibility while serving with the Texas military forces for whom the department receives a letter of recommendation for award of the Lone Star Distinguished Service Medal that:

(A) gives an account of the exceptional achievement or service; and

(B) includes facts and photographs, and extracts from official documents to support and amplify the facts;

(13) the Texas Iraqi Campaign Medal, which shall be awarded to a service member who was inducted into federal service from the Texas National Guard, without regard to the place that the service member was deployed while serving on active federal military duty, after:

(A) March 19, 2003, in support of Operation Iraqi Freedom; or

(B) August 31, 2010, in support of Operation New Dawn; ~~and~~

(14) the Texas Afghanistan Campaign Medal, which shall be awarded to a service member who was inducted into federal service from the Texas National Guard after October 6, 2001, in support of Operation Enduring Freedom, without regard to the place that the service member was deployed while serving on active federal military duty;

(15) the Cold War Medal, which shall be

awarded to a member of the Texas National Guard or the Texas State Guard who served between September 2, 1945, and December 26, 1991, subject to Subsection (c); and

No equivalent provision.

(b) A person may be awarded only one Texas Superior Service Medal.

No equivalent provision.

(c) A person described by Subsection (a)(15) may be awarded a Cold War Medal only if a fee in the amount necessary to cover the costs of awarding the medal is paid to the adjutant general's department.

No equivalent provision. *(But see SECTION 1 above.)*

SECTION 2. Section 431.134, Government Code, is repealed.

SECTION 2. 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, 2015.

SECTION 3. This Act takes effect September 1, 2015.