

BILL ANALYSIS

Senate Research Center
85R4980 TSR-F

H.B. 1630
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Veteran Affairs & Border Security
5/10/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1630 addresses a change in Chapter 437, Government Code, in regards to the adjutant general's ability to delegate authority to sign and approve certain expenditures.

The agency worked with the Office of the Comptroller of Public Accounts (comptroller) to find language that would address their concern with the delegation of signatory authority. The comptroller indicated that Section 431.013, Government Code, specifically mentions the adjutant general being able to designate someone to approve expenditures. However, the statute does not specifically say that the adjutant general may delegate the designating function to someone else. Given that the function is a discretionary duty, the comptroller's office told the agency that the adjutant general may not delegate the function. This change will remedy the adjutant general's ability to delegate the signatory authority.

H.B. 1630 amends current law relating to the approval of expenditures for the Texas Military Department.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 437, Government Code, by adding Section 437.063, as follows:

Sec. 437.063. ADJUTANT GENERAL: DELEGATION OF EXPENDITURE APPROVAL AUTHORITY. Authorizes the adjutant general to delegate the authority to approve Texas Military Department expenditures to the executive director of the Texas Military Department.

SECTION 2. Effective date: September 1, 2017.