

## **BILL ANALYSIS**

Senate Research Center  
85R4984 JCG-F

S.B. 1302  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas Military Department (TMD) currently lacks specific authority in statute to purchase food or water for the Texas Military Forces or the Texas ChalleNGe Academy. Unfortunately, the Office of the Texas comptroller of public accounts has stated that for a state agency to legally purchase food or water, that agency must have explicit authority in statute or the appropriations act.

TMD has experienced several issues in various operations involving Texas Military Forces, as well as students enrolled in the ChalleNGe program, regarding the authority to purchase food and water.

S.B. 1302 addresses this problem by providing TMD with explicit authority to purchase food and water under certain circumstances for military forces and students in the ChalleNGe program.

As proposed, S.B. 1302 amends current law relating to the authority of the Texas Military Department to purchase food and beverages.

### **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 Chapter 437, Government Code, by amending Section 437.118 and adding Section 437.119, as follows:

Sec. 437.118. New heading: MAINTENANCE AND OPERATION OF MILITARY HOUSING. Deletes existing Subsection (a) authorizing the Texas Military Department (TMD) to use appropriated money to purchase food and beverages for charged military housing and training functions required of the Texas military forces. Deletes existing designation of Subsection (b).

Sec. 437.119. USE OF FUNDS TO PURCHASE FOOD AND BEVERAGES. Authorizes TMD to use appropriated money to purchase food and beverages for charged military housing, service members of the Texas military forces on military duty, including required training functions, and students participating in the Texas ChalleNGe Academy.

SECTION 2. Effective date: September 1, 2017.