

By: Cain

H.B. No. 1912

A BILL TO BE ENTITLED

AN ACT

relating to certain awards for outstanding achievement or service to this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 437.355(a), Government Code, as amended by Chapters 144 (H.B. 115) and 760 (H.B. 2108), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

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

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

(A) after September 11, 2001:

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

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

(B) was wounded or killed at Fort Hood on November 5, 2009;

(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

1 state service or a combination of state and federal service; and

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

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

7 (3) the Lone Star Distinguished Service Medal, which
8 shall be awarded to a member of the military forces of this state,
9 another state, or the United States, an employee of the department,
10 or a civilian selected by the adjutant general for exceptionally
11 outstanding achievement or service to this state in performance of
12 a duty of great responsibility while serving in [with] the Texas
13 military forces or as a department employee or in a manner that
14 brings exceptionally meritorious acknowledgement of the department
15 and for whom the department receives a letter of recommendation for
16 award of the Lone Star Distinguished Service Medal that:

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

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

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

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

27 (A) does not meet the criteria for an award of the

1 federal Humanitarian Service Medal;

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

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

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

11 (A) on or after September 11, 2001;

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

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

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

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

25 (9) the Texas Faithful Service Medal, which shall be
26 awarded to a member of the Texas military forces who has completed
27 five years of honorable service during which the service member has

1 shown fidelity to duty, efficient service, and great loyalty to
2 this state;

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

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

12 (12) the Texas Desert Shield/Desert Storm Campaign
13 Medal, which shall be awarded to a service member who was inducted
14 into federal service from the Texas National Guard after August 1,
15 1990, in support of Operation Desert Shield or Operation Desert
16 Storm, without regard to the place that the service member was
17 deployed while serving on active federal military duty;

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

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

25 (B) August 31, 2010, in support of Operation New
26 Dawn;

27 (14) the Texas Afghanistan Campaign Medal, which shall

1 be awarded to a service member who was inducted into federal service
2 from the Texas National Guard after October 6, 2001, in support of
3 Operation Enduring Freedom, without regard to the place that the
4 service member was deployed while serving on active federal
5 military duty; ~~and~~

6 (15) the Cold War Medal, which, subject to Subsection
7 (c), shall be awarded to a member of the military forces of this
8 state or the United States who:

9 (A) served between September 2, 1945, and
10 December 26, 1991; and

11 (B) was a resident of this state at the time the
12 service member entered military service;

13 (16) the Texas Adjutant General's Individual Award,
14 which shall be awarded to an individual member of the Texas military
15 forces for the individual's meritorious achievement or outstanding
16 service in the performance of a duty that is extremely noteworthy
17 but does not meet the criteria for an award of a higher state
18 decoration; and

19 (17) the Texas Medal for the Defense of Freedom, which
20 shall be awarded to any civilian who is killed or wounded by hostile
21 action while serving under any competent authority of the
22 department under conditions for which a service member would be
23 eligible for receipt of the Texas Purple Heart Medal.

24 SECTION 2. Section 437.355, Government Code, is amended by
25 adding Subsection (d) to read as follows:

26 (d) Notwithstanding Subsection (a)(3), a civilian is
27 ineligible to be awarded the Lone Star Distinguished Service Medal

1 if the civilian is:

2 (1) required to register under Chapter 305 or has any
3 current or potential pecuniary interest related to department
4 activities or fee-based services provided to a member of the Texas
5 military forces or a department employee;

6 (2) employed by a person or organization that is
7 required to register under Chapter 305 or that has any current or
8 potential pecuniary interest related to department activities or
9 fee-based services provided to a member of the Texas military
10 forces or a department employee; or

11 (3) recommended for the award based on exceptional
12 achievement or service that occurred at a time when the civilian was
13 required to register under Chapter 305 or had any pecuniary
14 interest related to department activities or fee-based services
15 provided to a member of the Texas military forces or a department
16 employee.

17 SECTION 3. Subchapter H, Chapter 437, Government Code, is
18 amended by adding Section 437.3555 to read as follows:

19 Sec. 437.3555. GOVERNOR'S UNIT CITATION. (a) The
20 Governor's Unit Citation shall be awarded to a unit or
21 organizational detachment of the Texas military forces for
22 extraordinary valor or exceptionally meritorious conduct or
23 achievement in the performance of outstanding combat operations,
24 combat support, or service support operations or activities.

25 (b) To be eligible for the Governor's Unit Citation, a unit
26 or organizational detachment of the Texas military forces must:

27 (1) have served for at least 90 continuous days in

1 support of military operations;

2 (2) have served under the authority of Title 10 or
3 Title 32 of the United States Code, within or outside the
4 continental United States; and

5 (3) have performed with marked distinction under
6 difficult or hazardous conditions during single or successive
7 operations covering the 90 days required under Subdivision (1).

8 (c) The adjutant general shall award the Governor's Unit
9 Citation.

10 SECTION 4. To the extent of any conflict, this Act prevails
11 over another Act of the 85th Legislature, Regular Session, 2017,
12 relating to nonsubstantive additions to and corrections in enacted
13 codes.

14 SECTION 5. This Act takes effect September 1, 2017.