

## **BILL ANALYSIS**

C.S.H.B. 1326  
By: Flynn  
Defense & Veterans' Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been noted that the Texas Military Department plays a vital role in responding to international military deployments and to both state and national disasters. C.S.H.B. 1326 provides for the continuation of the department under the Texas Sunset Act and for the implementation of certain recommendations made by the Sunset Advisory Commission.

### **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. 1326 amends the Government Code to postpone from September 1, 2019, to September 1, 2031, the date on which the Texas Military Department is abolished unless continued in existence as provided by the Texas Sunset Act. The bill removes the expiration of statutory provisions relating to the Texas Military Department. The bill includes among the duties of the adjutant general assuming responsibility for all administration of the department, including ensuring compliance with applicable state law and priorities and overseeing state employees. The bill changes the title of the administrative head of the department who is responsible for managing the department from executive director to director of state administration and specifies that the director of state administration is a senior-level employee appointed by and serving at the pleasure of the adjutant general. The bill requires the adjutant general to adopt and implement a policy outlining the director of state administration's responsibility for state administrative interests across all department programs, including evaluating procedures for oversight of state employees and mitigating administrative and other compliance risks. The bill specifies that the director of state administration is responsible for the daily administration of the department's state support operations.

C.S.H.B. 1326 revises the provision requiring a member of the state military forces who is not a full-time or part-time state employee to spend more than 60 days on state active duty or on state training or other duty to be eligible to participate in state group insurance benefits under the Texas Employees Group Benefits Act to specify that the days are consecutive days. The bill removes language limiting to 30 per semester the number of higher education assistance awards made to members of the Texas State Guard unless certain conditions are met. The bill changes the tuition and mandatory fee assistance reimbursement amounts paid to an institution of higher education for members of state military forces to allow reimbursement for the full amount of tuition and fees.

**EFFECTIVE DATE**

September 1, 2019.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1326 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes the following provisions:

- a removal of the expiration of statutory provisions relating to the Texas Military Department;
- a provision relating to eligibility for state group insurance benefits under the Texas Employees Group Benefits Act; and
- provisions relating to higher education assistance.