

BILL ANALYSIS

C.S.H.B. 2701
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Defense & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the significance of enlisting in the Texas National Guard. It has been suggested that individuals eager to serve their state and country are sometimes unaware of the full extent of the commitment they are making when enlisting. There have been calls to ensure that individuals enlisting with the Texas National Guard are fully aware of the responsibilities associated with active duty. C.S.H.B. 2701 seeks to address this situation by requiring individuals joining the Texas National Guard to sign a notice regarding active combat duty.

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. 2701 amends the Government Code to require an individual, before enlisting in or accepting an appointment with the Texas National Guard, to sign a notice acknowledging the following information that is printed in 24-point bold-faced type:

- the individual may be called to active duty by the president to serve on active combat duty in a war declared by an act of the U.S. Congress or in another armed conflict as ordered by the president; and
- that active combat duty may include participating in an armed conflict, performing a hazardous service, performing a duty under conditions simulating war, and performing a duty through an instrumentality of war.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2701 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.

Whereas the original limited activation of the Texas National Guard into active combat duty to circumstances in which the U.S. Congress officially declares war or takes other official action

in accordance with the U.S. Constitution and required the governor to take necessary action, the substitute does not include any provisions from the original and instead requires an individual to sign a notice before enlisting in or accepting an appointment with the Texas National Guard acknowledging that the individual may be called to active combat duty.