

BILL ANALYSIS

C.S.H.B. 101

By: Guillen

Homeland Security, Public Safety & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that the Texas State Guard, an all-volunteer force led by a small group of professionals, currently plays an important role under the Texas Military Department in supporting disaster response efforts. The bill author has also informed the committee that, as the Texas Military Department's role has grown in recent years to address a variety of natural and man-made disasters, gaps have emerged in the Texas State Guard's ability to meet the increasing demands of critical missions, revealing the need to professionalize the Texas State Guard to ensure that Texas has a capable and reliable state-level resource in addition to the federal National Guard. C.S.H.B. 101 seeks to address this need by creating the Texas State Guard Professionalization Task Force.

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. 101 amends the Government Code to create the Texas State Guard Professionalization Task Force to advise the adjutant general on the professionalization of the Texas State Guard. The task force is composed of the following members:

- the adjutant general or the adjutant general's designee;
- the director of the Department of Public Safety or the director's designee;
- the chief of the Texas Division of Emergency Management or the chief's designee;
- the executive director of the Texas Department of Transportation or the executive director's designee;
- the director of the Texas A&M Forest Service or the director's designee; and
- the executive head of any other state agency or the executive head's designee as determined by the adjutant general or the adjutant general's designee.

The bill establishes that the adjutant general or the adjutant general's designee is the chair of the task force and requires the task force to meet at the call of the chair as often as necessary to perform the task force's duties.

C.S.H.B. 101 requires the task force to do the following:

- examine the state missions and operations of the Texas State Guard using statistical analyses and data received from focus groups and other research methods, including identifying the short- and long-term critical state missions and operations needs of the Texas State Guard;

- identify any existing and potential challenges and threats to the Texas State Guard's operations, including critical infrastructure;
- develop solutions to overcome those challenges and threats;
- develop strategies to professionalize the Texas State Guard and to develop the capabilities of the Texas State Guard that are consistent with the findings and determinations made under these provisions;
- recommend the following to the adjutant general and the governor:
 - policy priorities to address the long-term critical state missions and operations needs of the Texas State Guard identified under these provisions; and
 - the solutions to overcome any existing and potential challenges and threats to the Texas State Guard's operations developed under these provisions and policy priorities and budgetary needs to implement those solutions; and
- advise the adjutant general and the governor regarding the staffing, facilities, equipment, and technology needed to implement the strategies developed under these provisions to professionalize the Texas State Guard and to develop the capabilities of the Texas State Guard that are consistent with the findings and determinations made under these provisions.

The bill requires the task force, not later than August 31, 2026, to submit a report to the adjutant general and the governor that contains the task force's findings and recommendations described by the bill's provisions relating to the task force's duty to recommend certain priorities, solutions, and needs to the adjutant general and the governor.

C.S.H.B. 101 expires September 1, 2026.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 101 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced established the State Guard Professionalization Task Force as a temporary task force created to advise the adjutant general on the professionalization of the Texas State Guard under the Texas Military Department, the substitute creates the Texas State Guard Professionalization Task Force to advise the adjutant general on the professionalization of the Texas State Guard.

Whereas the introduced required the task force to meet as often as necessary to perform the task force's duties and authorized meetings to be held at any time at the request of the chair, the substitute requires the task force to meet at the call of the chair as often as necessary to perform the task force's duties.

Both the introduced and the substitute require the task force to examine the state missions and operations of the Texas State Guard using, among other information, data received from focus groups. However, the introduced specified that the data is data on operations conducted by the Texas State Guard, whereas the substitute does not. Additionally, whereas the introduced establishes that this examination includes an identification of critical state missions and operations needs and a determination of the state's long-range state missions and operations needs, the substitute establishes that this examination includes identifying the short- and long-term critical state missions and operations needs of the Texas State Guard.

Whereas the introduced required the task force to identify and anticipate challenges and threats to the state's operations, including but not limited to critical infrastructure, the substitute requires

the task force to identify any existing and potential challenges and threats to the Texas State Guard's operations, including critical infrastructure.

Whereas the introduced required the task force to develop a strategy to professionalize and develop capabilities of the Texas State Guard that is consistent with the findings and determinations made under the bill's provisions relating to the task force's duties, the substitute requires the task force to develop strategies to professionalize the Texas State Guard and to develop the capabilities of the Texas State Guard that are consistent with the findings and determinations made under those provisions.

While both the introduced and the substitute require the task force to recommend certain actions to the adjutant general and the governor, the versions differ in the following ways:

- the substitute omits the introduced version's requirement for the task force to recommend strategies to solve the challenges identified under the introduced version's provisions relating to critical state missions and operations needs; and
- while both the introduced and the substitute require the task force to recommend policy priorities and budgetary needs to implement solutions to overcome certain challenges and threats, the substitute also requires the task force to recommend those solutions, whereas the introduced did not.

Both the introduced and the substitute require the task force, not later than August 31, 2026, to submit a report to the adjutant general and the governor that contains certain information. However, whereas the introduced required the report to contain the recommendations regarding necessary staffing, facilities, equipment, and technology to implement the strategy to professionalize and develop capabilities of the Texas State Guard described by the introduced version's provisions, the substitute requires the report to contain the task force's applicable findings and recommendations described by the substitute's provisions relating to the task force's duty to recommend certain priorities, solutions, and needs to the adjutant general and the governor.