

BILL ANALYSIS

Senate Research Center
78R7174 JRD-D

H.B. 2251
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Veteran Affairs & Military Installations
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Engrossed

DIGEST AND PURPOSE

Members of the Texas National Guard lose a portion of their civilian income when called to duty. H.B. 2251 provides for supplemental pay to a member of the Texas National Guard who suffers an economic hardship as a result of serving on active duty. This bill requires the comptroller to establish an appropriate account in the general revenue fund and establishes caps on the amount of supplemental pay allowed for an eligible member of the Texas National Guard. H.B. 2251 requires the adjutant general to determine who is eligible for the supplemental pay and the amount of that pay.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the adjutant general and the comptroller in SECTION 2 (Section 431.0821, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 431.082(a), Government Code to include the provisions of Section 431.0821 as an exception to the subsection.

SECTION 2. Amends Subchapter F, Chapter 431, Government Code, by adding Section 431.0821, as follows:

Sec. 431.0821. SUPPLEMENTAL ACTIVE DUTY PAY FOR ECONOMIC HARDSHIP. (a) Provides that a person who is called to active military duty as a member of the Texas National Guard in the service of this state or the United States by proper federal or state authority and who suffers an economic hardship as a result of serving on active duty is eligible to receive supplemental pay for serving on active duty in accordance with this section.

(b) Requires the comptroller to establish the Texas National Guard members' supplemental active duty pay account in the general revenue fund. Authorizes money in the account to be appropriated only for purposes of implementing this section. Authorizes the comptroller, governor, or adjutant general to accept gifts and grants for deposit to the credit of the account. Authorizes the legislature to transfer money into the account or to appropriate money to implement this section that the comptroller is required to credit to the account.

(c) Provides that a member of the Texas National Guard described by Subsection (a) is eligible to receive supplemental pay under this section in an amount not to exceed the lesser of certain amounts.

(d) Provides that the adjutant general determines whether a member is eligible to receive supplemental pay under this section and the amount of supplemental pay a member may receive. Requires the adjutant general, in determining the amount, to consider the total amount that is available for supplemental pay during a period and the probable total need for supplemental pay during that period.

(e) Authorizes the adjutant general to adopt rules to implement this section,

including rules that prescribe the procedure for requesting supplemental pay and that prescribe evidence a member is authorized or required present to demonstrate hardship. Authorizes the comptroller, in consultation with the adjutant general, to adopt rules to govern the manner and method of paying supplemental pay under this section.

SECTION 3. Effective date: upon passage or September 1, 2003.