

BILL ANALYSIS

Senate Research Center
81R11782 MCK-F

S.B. 1408
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current regulations regarding the adjutant general's authority to compensate the Texas State Guard (TSG) while they are serving on active duty have not been updated since World War II. Accordingly, the needs and duties of TSG have expanded immensely and are no longer satisfied by current regulations. TSG is increasingly called upon in disaster relief capacities. In fact, TSG interacts with local leadership, staffs local shelters, provides fill-in capability for shortfalls in the local emergency management structure, and runs local points of distribution. TSG also provides communication support to supplement the National Guard, and damage assessment training. Unless called to active duty, TSG members serve in an unpaid capacity.

As proposed, S.B. 1408 sets forth the procedure for paying members of TSG when called to active duty.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 431.082, Government Code, by adding Subsection (d), as follows:

(d) Provides that a member of the Texas State Guard (TSG) called to state active duty is a temporary employee of the state while on state active duty. Requires the adjutant general to pay members of the TSG called to state active duty according to the General Appropriations Act. Authorizes the adjutant general, if the length of state active duty exceeds 45 consecutive days, to pay the members of TSG called to state active duty up to 140 percent the amount authorized in the General Appropriations Act.

SECTION 2. Effective date: upon passage or September 1, 2009.