

BILL ANALYSIS

C.S.S.B. 1824
By: Campbell
Defense & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that the Texas Legislative Medal of Honor is the highest honor awarded by the state to military service members in Texas. The parties assert that a study regarding the nomination and selection process for recipients of the medal would be beneficial for the preservation of the prestige associated with the medal. C.S.S.B. 1824 seeks to ensure that the medal maintains its prestige.

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.S.B. 1824 requires the standing committees of both houses of the legislature with primary jurisdiction over military and veterans affairs to conduct a joint study on the nomination and selection process for the award of the Texas Legislative Medal of Honor. The bill requires the study to evaluate the military tradition for a medal of honor and methods to ensure that the Texas Legislative Medal of Honor upholds that military tradition, how a service member is nominated and methods to ensure that the service member is nominated based only on the merit of the service performed by the service member, and a process by which the adjutant general may evaluate the qualifications of nominees for the Texas Legislative Medal of Honor. The bill requires the standing committees of both houses of the legislature with primary jurisdiction over military and veterans affairs, not later than December 1, 2016, to jointly submit to the governor, the lieutenant governor, and the legislature a written report that summarizes the findings of the joint study.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 1824 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Section 437.351(d), Government Code, is amended to read as follows:

(d) The legislature by concurrent resolution may direct the governor to award the Texas Legislative Medal of Honor to a service member nominated by the nominating committee. The committee chairs serving on the nominating committee shall jointly prepare a concurrent resolution directing the governor to award the medal to a service member nominated. The legislature may direct the medal to be awarded only during a regular session [~~and may not, during a regular session, direct the medal to be awarded to more than:~~

~~[(1) one service member for service in the state or federal military forces during the period beginning after 1835 but before 1956; and~~

~~[(2) one service member for service in the state or federal military forces after 1955].~~

No equivalent provision. (*But see SECTION 1, above.*)

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision. (*But see SECTION 1, below.*)

SECTION 1. (a) The standing committees of both houses of the legislature with primary jurisdiction over military and veterans affairs shall conduct a joint study on the nomination and selection process for the award of the Texas Legislative Medal of Honor. The study must evaluate:

(1) the military tradition for a medal of honor and methods to ensure that the Texas Legislative Medal of Honor upholds that military tradition;

(2) how a service member is nominated and methods to ensure that the service member is nominated based only on the merit of the service performed by the service member; and

(3) a process by which the adjutant general may evaluate the qualifications of nominees for the Texas Legislative Medal of Honor.

(b) Not later than December 1, 2016, the standing committees of both houses of the legislature with primary jurisdiction over military and veterans affairs shall jointly submit to the governor, the lieutenant governor, and the legislature a written report that summarizes the findings of the study conducted under Subsection (a) of this section.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

SECTION 2. Same as engrossed version.