

BILL ANALYSIS

Senate Research Center

S.B. 353
By: Armbrister
Veterans Affairs
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As Filed

DIGEST

The Adjutant General's Department (AGD) was established under the Republic of Texas and was continued in 1846 when Texas was admitted to the United States. The AGD was redefined by the Legislature in 1905 to reflect its responsibility over the National Guard in Texas. The AGD provides a fighting force in the times of conflict and aids the state or nation in times of civil disturbance or natural disasters.

The AGD is subject to the sunset act and will be abolished September 1, 1997, unless continued by the legislature. As a result of its review of the AGD, the Sunset Commission recommended continuation and several statute modifications that are contained in this legislation.

PURPOSE

As proposed, S.B. 353 sets forth the continuation and functions of the Adjutant General's Department for a 12-year period and makes statutory modifications recommended by the Sunset Advisory Commission.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the adjutant general in SECTION 9 (Sec. 431.037(b), Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 431.022, Government Code, by adding Subsection (c), to add standard language developed by the Sunset Commission regarding appointment of the adjutant general.

SECTION 2. Amends Chapter 431B, Government Code, by adding Sections 431.0225(a)-(d), to add standard language developed by the Sunset Commission regarding certain prohibitions for registered lobbyists.

SECTION 3. Amends Section 431.023, Government Code, to provide that the adjutant general's department is extended to September 1, 2009, rather than 1997.

SECTION 4. Amends Chapter 431B, Government Code, by adding Section 431.0245(a)-(b), to add standard sunset language developed by the Sunset Commission regarding training.

SECTION 5. Amends Chapter 431B, Government Code, by adding Section 431.0255, to add standard sunset language developed by the Sunset Commission regarding removal.

SECTION 6. Amends Section 431.028, Government Code, as follows:

Sec. 431.028. New heading: PERSONNEL. Adds standard sunset language developed by the Sunset Commission regarding employment, mobility and advancement, performance evaluations, and equal employment policy. Makes a conforming change.

SECTION 7. Amends Section 431.034, Government Code, to add standard sunset language

developed by the Sunset Commission regarding annual financial reports.

SECTION 8. Amends Section 431.035(a), Government Code, to update standard language developed by the Sunset Commission regarding funds.

SECTION 9. Amends Chapter 431B, by adding Section 431.037, to add standard sunset language developed by the Sunset Commission regarding functions and complaint procedures.

SECTION 10. Amends Chapter 431B, by adding Section 431.038, to add standard sunset language developed by the Sunset Commission regarding program and facility accessibility.

SECTION 11. Effective date: September 1, 1997.

Provides that application of this Act is prospective.

SECTION 12. Emergency clause.