

BILL ANALYSIS

Senate Research Center
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S.B. 1457
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DIGEST AND PURPOSE

Currently, Texas law designates the governor as the commander-in-chief of the state military forces, and give the governor full control and authority over all matters relating to the state military forces, including the appointment of the Texas adjutant general. Texas law also provides that if the governor is unable to perform the duties of commander-in-chief, the adjutant general shall command the state military forces. The Texas National Guard is activated by the state to handle natural disaster relief, homeland security operations, and events such as the Columbia space shuttle disaster. The governor is seeking increased flexibility in nominating an officer to the adjutant general's position. As proposed, S.B. 1457 includes in the requirements to be qualified for appointment as adjutant general, a person who has served on active duty or active duty for training with the marines, and completed at least 10 years of service as a federally recognized reserve or active duty commissioned officer with an active unit of the United States armed forces, the National Guard, or the Texas National Guard, including at least five years with the Texas National Guard.

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 431.022(b), Government Code, to include in the requirements to be qualified for appointment as adjutant general, that the person has served on active duty or active duty for training with the marines, and completed at least 10 years of service as a federally recognized reserve or active duty commissioned officer with an active unit of the United States armed forces, the National Guard, or the Texas National Guard, including at least five years with the Texas National Guard.

SECTION 2. Effective date: upon passage or September 1, 2003.