

**BILL ANALYSIS**

C.S.H.B. 3066  
By: Guillen  
Defense & Veterans' Affairs  
Committee Report (Substituted)

**BACKGROUND AND PURPOSE**

Interested parties assert that state law extending certain protections under federal law to service members of the Texas military forces ordered to state active duty or to state training and other duty should be updated to reflect changes in that federal law. C.S.H.B. 3066 seeks to make this update.

**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.H.B. 3066 amends the Government Code to remove the specification that the federal laws providing certain benefits and protections to persons in uniformed services to which a service member of the Texas military forces who is ordered to state active duty or to state training and other duty by the governor, the adjutant general, or another proper authority under state law is entitled in the same manner are those federal laws as they existed on April 1, 2003. The bill updates citation references to certain of those federal laws.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3066 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

**INTRODUCED**

**HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Section 437.213, Government Code, is amended to read as follows:  
Sec. 437.213. CERTAIN BENEFITS AND PROTECTIONS FOR STATE SERVICE.  
A service member of the Texas military

Substantially the same as introduced version.

forces who is ordered to state active duty or to state training and other duty by the governor, the adjutant general, or another proper authority under the law of this state is entitled to the same benefits and protections provided to persons:

- (1) performing service in the uniformed services as provided by 38 U.S.C. Sections 4301-4313 and 4316-4319~~[, as that law existed on April 1, 2003]~~; and
- (2) in the military service of the United States as provided by 50~~[App.]~~ U.S.C. Sections ~~[501-536]~~3901-3959, ~~[560]~~3991, and ~~[581-594, as that law existed on April 1, 2003]~~4011-4026.

SECTION 2. This Act applies only to persons serving on active state duty on or after the effective date of this Act without regard to the date on which the person was initially ordered to active state duty.

SECTION 3. 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, 2017.

SECTION 2. The change in law made by this Act applies only to a service member of the Texas military forces who is serving on state active duty or on state training and other duty on the effective date of this Act or who is ordered to such duty on or after that date.

SECTION 3. Same as introduced version.