

BILL ANALYSIS

Senate Research Center
84R4412 MCK-D

H.B. 1133
By: Miller, Rick (Taylor, Van)
Veteran Affairs & Military Installations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Military Preparedness Commission (TMPC) is responsible for assisting military communities in meeting economic challenges. With an upcoming base realignment and closure (BRAC) set for 2017, TMPC will play a crucial role assisting the 15 Texas military installations.

To maximize efficiency, H.B. 1133 adds the adjutant general as an ex-officio member of TMPC. The adjutant general is the senior military officer and de facto commander of the state's military forces. H.B. 1133 mandates that if the adjutant general ceases to hold this position, then his seat on TMPC shall also be vacated. If this is the case, then the adjutant general may choose a representative to serve on the committee in his place, but this member must be an officer or employee of the same office as the ex-officio member. The adjutant general is entitled to compensation or reimbursement for travel expenses incurred while conducting official TMPC business.

This new structure will provide a stronger administrative model that allows TMPC to have more direct impact and access to the military department through the presence of the adjutant general and his place on TMPC.

H.B. 1133 amends current law relating to the composition of the Texas Military Preparedness Commission.

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 436.051(a), Government Code, to provide that the Texas Military Preparedness Commission (TMPC) is composed of 13 public members and certain ex officio members, including the adjutant general.

SECTION 2. Amends the heading to Section 436.052, Government Code, to read as follows:

Sec. 436.052. TERMS AND OFFICERS; EX OFFICIO MEMBERS; DESIGNATION OF REPRESENTATIVE.

SECTION 3. Amends Section 436.052, Government Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Provides that the 13 public members of TMPC serve staggered terms of six years with the terms of four or five members expiring February 1 of each odd-numbered year. Provides that a legislative member vacates the person's position on TMPC if the person ceases to be the chair of the applicable legislative committee. Provides that the ex officio member of TMPC described by Section 436.051(a)(2)(C) (referencing the adjutant general) vacates the person's position on TMPC if the person ceases to hold the position that qualifies the person for service on TMPC.

(a-1) Authorizes the ex officio member of TMPC described by Section 436.051(a)(2)(C) to designate a representative to serve on TMPC in the member's absence. Requires a representative designated under this subsection to be an officer or employee of the state agency the ex officio member serves.

SECTION 4. Amends Section 436.053, Government Code, as follows:

Sec. 436.053. COMPENSATION AND EXPENSES. (a) Creates this subsection from existing text. Makes no further change to this subsection.

(b) Creates this subsection from existing text. Makes no further changes to this subsection.

(c) Provides that the entitlement of the ex officio member described by Section 436.051(a)(2)(C) to compensation or to reimbursement for travel expenses incurred while transacting TMPC business is governed by the law that applies to the member's service in that underlying position, and any payment to the member for either purpose be made from money that may be used for the purpose and is available to the state agency that the member serves in that underlying position.

SECTION 5. Effective date: September 1, 2015.