

BILL ANALYSIS

Senate Research Center

H.B. 2701
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State Affairs
5/20/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerns have been raised regarding the significance of enlisting in the Texas National Guard. It has been suggested that individuals eager to serve their state and country are sometimes unaware of the full extent of the commitment they are making when enlisting. There have been calls to ensure that individuals enlisting with the Texas National Guard are fully aware of the responsibilities associated with active duty. H.B. 2701 seeks to address this situation by requiring individuals joining the Texas National Guard to sign a notice regarding active combat duty.

H.B. 2701 amends the Government Code to require an individual, before enlisting in or accepting an appointment with the Texas National Guard, to sign a notice acknowledging the following information that is printed in 24-point bold-faced type:

- the individual may be called to active duty by the president to serve on active combat duty in a war declared by an act of the U.S. Congress or in another armed conflict as ordered by the president; and
- that active combat duty may include participating in an armed conflict, performing a hazardous service, performing a duty under conditions simulating war, and performing a duty through an instrumentality of war.

H.B. 2701 amends current law relating to the requirement that individuals joining the Texas National Guard sign a notice regarding active combat duty.

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 the heading to Section 437.007, Government Code, to read as follows:

Sec. 437.007. ENLISTMENT AND APPOINTMENT; NOTICE.

SECTION 2. Amends Section 437.007, Government Code, by adding Subsection (c), as follows:

(c) Requires an individual, before the individual is authorized to enlist in or accept an appointment with the Texas National Guard, to sign the following written notice that is printed in 24-point bold-faced type:

BY JOINING THE TEXAS NATIONAL GUARD I UNDERSTAND THAT I MAY BE CALLED TO ACTIVE DUTY BY THE PRESIDENT TO SERVE ON ACTIVE COMBAT DUTY IN A WAR DECLARED BY AN ACT OF CONGRESS OR IN ANOTHER ARMED CONFLICT AS ORDERED BY THE PRESIDENT. ACTIVE COMBAT DUTY MAY INCLUDE:

- (1) PARTICIPATING IN AN ARMED CONFLICT;
- (2) PERFORMING A HAZARDOUS SERVICE;

(3) PERFORMING A DUTY UNDER CONDITIONS SIMULATING WAR; AND

(4) PERFORMING A DUTY THROUGH AN INSTRUMENTALITY OF WAR.

SECTION 3. Effective date: September 1, 2021.