



REPLY TO
ATTENTION OF

TEXAS MILITARY FORCES
Headquarters, Texas State Guard
P.O. Box 5218
Austin, TX 78763

NGTX-XZ

12 February 2016

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TXSG RETENTION (OVER 70) POLICY

1. References.
 - a. Texas Government Code 437
 - b. Commander's Legal Handbook Pub 27-8
 - c. TXSG Reg 600-10
2. Purpose. To prescribe policy and procedure addressing force management and retention of personnel who have reached, or exceeded, the maximum age requirement of the Texas State Guard. This policy balances operational necessity with the safety and readiness of all service members.
3. Authority: Texas Government Code, Title 4, Chapter 437, Section 437.302, Composition.
4. Applicability: This policy applies to all service members assigned/attached to, working, training, or otherwise participating in the Texas State Guard.
5. Members of the Texas State Guard must be at least 18 years of age and not older than 70 years of age. The adjutant general may adopt a policy regarding waiver of the maximum age requirement under Texas Government Code 437, Subsection (b) (3).
6. The TXSG Regulation 600-10, Chapter 5-3 states that no member may serve in an active TXSG position past their 71st birthday unless annual medical approval is received from TXSG Medical Review Board. The TXSG Reg 600-10 is under revision in order to comply with regulatory requirements found in Texas Government Code 437.
7. All TXSG personnel 70 years old or older, will receive discharge orders effective 30 June 2016. After 30 June 2016, any member turning 70 years of age will be discharged prior to their 70th birthday. Exceptions to this policy must be submitted, in writing, through the member's chain of command to the Deputy Commanding General at least 90 days prior to the member's 70th birthday. Exceptions will be submitted using the TXSG Form 1040.10 (Biographical Summary) form. Exceptions will be based on unique skills and or operational experience not otherwise replicated in the (National or State) "Guard" and not immediately replaceable. If approved by the Adjutant General, the waiver will allow for continued service in the Texas State Guard for up to, but not to exceed, one year.
8. This policy is effective immediately and will expire 2 years from the date of publication unless sooner rescinded or superseded.

A handwritten signature in cursive script, appearing to read "Gerald R. Betty".

GERALD R. BETTY
MG, TXSG
COMMANDING

DISTRIBUTION A