



## Texas State Guard

# INSTRUCTION

7100.10  
10 MAY 2021  
NGTX-TBU

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SUBJECT: Donation Administration

References. (a) Texas Government Code Chapter 437  
(b) TMD Regulation 4-01, Unit Funds ("Reg. 4-01")

1. PURPOSE. This instruction outlines the process for solicitation and administration of donations made to support TXSG in an appropriate manner that complies with TMD policies and regulations.
2. APPLICABILITY AND SCOPE. This issuance applies to all TXSG personnel.
3. DEFINITIONS. NA
4. POLICY.
  - a. Solicitation and Approval.
    - (1) Texas Government Code §437.304 authorizes solicitation of donations by units of TXSG.
    - (2) Solicitations must be conducted in a way that is discreet, professional and becoming of a military organization.
    - (3) Advertising, GoFundMe accounts and all other types of social media or other mass or public appeals for donations or support diminish the public's perception of TXSG as a military organization and are strictly prohibited.
    - (4) Applying for grants is acceptable if grant funds are available for use by the unit without restrictions, terms or reporting requirements, subject to approval by Chief of Staff. Grants are subject to same disclosure and approval process as any other type of donation.

(5) Commanders must ensure donation is appropriate, that there are no issues with public perception or conflicts of interest and that it is processed in compliance with Chapter 3, TMD Regulation 4-01, Unit Funds (see "RESPONSIBILITIES" below).

(6) Donations shall be deposited into the appropriate Unit Fund for benefit of the members of that unit. If donation was raised by a battalion for benefit of that battalion, but deposited into brigade Unit Fund, Fund Manager shall segregate/earmark that donation on the books and execute the funds from that donation on behalf of that battalion.

b. Using State Guard Association of Texas ("SGATX") for support. Some donors (and some commanders) may prefer or require that donations be made to a 501(c)(3) public charity as opposed to directly to a state agency. Subject to their approval, SGATX may accept these donations, issue a donation acknowledgement to the donor and then contribute a corresponding amount to the appropriate Unit Fund. It is encouraged that larger donations (i.e., those over \$5000) be handled in this fashion. SGATX is not exempt from approval requirements and donations from them must be approved like those from any other donor. NOTE: SGATX IS THE ONLY 501(c)(3) OR SUPPORTING ORGANIZATION OF ANY KIND APPROVED BY COMMAND FOR: 1) AFFILIATION WITH TXSG; 2) USE AS A CONDUIT FOR SOLICITATION OF DONATIONS FOR BENEFIT OF TXSG. For questions or details, contact POC below.

## 5. RESPONSIBILITIES.

a. Commanders. As detailed in TMD Regulation 4-01, Unit Funds:

(1) Vet donors and consider the optics of the donation; donations must not embarrass, invite controversy, create conflicts with vendors or potential vendors or compromise TXSG or TMD in any way.

(2) Complete Disclosure of Conflict of Interest memorandum (figure 3-2, Reg. 4-01) and place in Unit Fund files.

(3) For donations over \$5000, complete Request for Approval of Donation (figure 3-3, Reg. 4-01) and forward it and Disclosure of Conflict of Interest through T8 to J8 for approval by Office of State Administration.

(4) For donations over \$10,000, complete Request for Approval of Donation and forward it and Disclosure of Conflict of Interest through T8 to J8 for approval by Adjutant General.

(5) Issue donor an acknowledgment letter and express our gratitude (see figure 3-1, Reg. 4-01 for letter format and required language).

b. Unit Fund Managers. As detailed in Reg. 4-01:

(1) Place disclosure and approval memoranda in Unit Fund files.

(2) Submit detailed list of donations received in prior six months, along with related memoranda through T8 to J8 on 30 JUN and 31 DEC of each year.

6. INFORMATION REQUIREMENTS. NA.

7. RELEASABILITY. Unlimited.

8. EFFECTIVE DATE. Immediate and effective until rescinded or superseded.

9. POINT OF CONTACT. COL Robert W. Finley, 512-782-5721 or SFC Jeannette Jimmerson, 512-782-3255



ROBERT J. BODISCH, SR.

Major General, TXSG

Commanding

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