

SUBJECT: Relating to sheriff's department disability leave in certain counties.

COMMITTEE: County Affairs — committee substitute recommended

VOTE: 9 ayes — Neave Criado, Stucky, Gerdes, J. Jones, Orr, Rosenthal,
Schatzline, Slaton, Tinderholt

0 nays

WITNESSES: For — Christopher Dyer, Dallas County Sheriff's Association; David Batton, Harris County Deputies Organization FOP 39; Kevin Lawrence, Texas Municipal Police Association (*Registered, but did not testify*: Chris Jones, Jennifer Szimanski, Combined Law Enforcement Associations of Texas; Ray Hunt, HPOU; Dallas Reed, Texas Municipal Police Association)

Against — None

On — (*Registered, but did not testify*: Francis Nugent, Harris County Commissioners Court)

DIGEST: CSHB 995 would require counties to provide employees of a county sheriff's department a leave of absence with full pay for work related injuries performed in the line of duty for a period commensurate with the nature of the injury or illness for at least one year.

After a year, the commissioners court of the county could extend the leave of absence at full or reduced pay. If the employee's leave was extended or the employee's salary was reduced to 60 percent of the employee's regular pay, and the employee was a member of a pension fund, the employee could retire on pension until the employee was able to return to duty.

If the employee's leave period and any extensions had expired, and the employee was not a member of a pension fund, the employee could use sick time, vacation time, and other accumulated time before being placed on temporary leave.

CSHB 995 would allow employees who were temporarily disabled by an injury or illness in activities not related to activities performed in the line of duty to use all sick leave, vacation time, and other accumulated time before the employee was placed on temporary leave.

Another employee could volunteer to do the work of the employee on temporary leave or donate leave time to maintain the salary of the temporarily disabled employee until the injured employee returned to duty.

After recovering from temporary disability the employee would be reinstated at the same rank and seniority the employee had before going on temporary leave.

With the commission's approval, if an employee who had been receiving monthly disability pension was declared recovered by a certified physician, the employee would be eligible for reappointment to the classified position that the employee held when the employee qualified for monthly disability pension.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.

**SUPPORTERS
SAY:**

CSHB 995 would provide officers injured in the line of duty the time they needed to recover and return to work. Currently, when sheriff's department officers are injured in the line of duty, the injured officer often has little time to recover, which can result in termination of an officer's employment. Replacing officers can be costly and is unfair to the officers injured in the line of duty. CSHB 995 would give these officers the time they needed to recover and continue serving their communities.

**CRITICS
SAY:**

While CSHB 955 is well intended, the bill could raise costs for counties without providing resources from the state to accommodate these costs.