

BILL ANALYSIS

Senate Research Center

S.B. 1288
By: Gallegos
Veteran Affairs & Military Installations
4/8/2003
Committee Report (Amended)

DIGEST AND PURPOSE

Currently, Texas law does not require municipalities to provide military leave time accounts for fire fighters or police officers or to maintain their health, dental, and life insurance coverage and benefits should a fire fighter or police officer be called to active military duty. Additionally, there is no authorization for a fire fighter or police officer to voluntarily substitute for a fire fighter or police officer who has been called to federal active military duty. S.B. 1288 requires municipalities to provide a military leave time accounts for fire fighters or police officers and to maintain their health, dental, and life insurance coverage and benefits should a fire fighter or police officer be called to active military duty. This bill also authorizes a fire fighter or police officer to voluntarily substitute for a fire fighter or police officer who has been called to federal active military duty, as long as that fire fighter or police officer is qualified to perform the duties of the absent fire fighter or police officer.

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 Chapter 143G, Local Government Code, by adding Section 143.1262, as follows:

Sec. 143.1262. **MILITARY LEAVE AND MILITARY LEAVE TIME ACCOUNTS.** (a) Requires a municipality to maintain separate military leave time accounts for the fire and police departments.

(b) Requires a military leave time account to benefit a fire fighter or police officer who meets certain criteria.

(c) Authorizes a fire fighter or police officer to donate any amount of accumulated vacation, holiday, or compensatory leave time to the military leave time account in that fire fighter's or police officer's department to help provide salary continuation for fire fighters or police officers who qualify as eligible beneficiaries under Subsection (b)

(d) Requires a municipality to equally distribute the leave time donated to a military leave time account among all fire fighters or police officers who are eligible beneficiaries of that account. Requires the municipality to credit and debit the applicable military leave time account on an hourly basis regardless of the cash value of the time donated or used.

(e) Requires the employing municipality to continue to maintain any health, dental, or life insurance coverage and benefits coverage received through the municipality on the date the fire fighter or police officer was called to active military duty, if a fire fighter or police officer is called to active military duty for any period, until receiving written instructions from the fire fighter or police officer to change or discontinue coverage.

(f) Authorizes a fire fighter or police officer to voluntarily substitute for a fire fighter or police officer described by Subsections (b)(1) and (2), without restriction as to the amount of time, who has been called to active federal military duty expected to last 12 months or longer. Requires a fire fighter or police officer who voluntarily substitutes under this subsection to be qualified to perform the duties of the absent fire fighter or police officer.

SECTION 2. Effective date: September 1, 2003.

COMMITTEE AMENDMENTS

Committee amendment No.1:

On page 3, strike line 2 in its entirety and substitute in lieu thereof the following:

“SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.”

Committee amendment No. 2:

On page 1, line 22, insert the following between “holiday,” and “or”: “sick.”