

1-1 By: Muñoz, Jr., Frazier (Senate Sponsor - Paxton) H.B. No. 995
 1-2 (In the Senate - Received from the House April 24, 2023;
 1-3 April 24, 2023, read first time and referred to Committee on Local
 1-4 Government; May 17, 2023, reported favorably by the following
 1-5 vote: Yeas 9, Nays 0; May 17, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Springer	X			
1-9 Eckhardt	X			
1-10 Gutierrez	X			
1-11 Hall	X			
1-12 Nichols	X			
1-13 Parker	X			
1-14 Paxton	X			
1-15 West	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to sheriff's department disability leave in certain
 1-20 counties.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter B, Chapter 158, Local Government
 1-23 Code, is amended by adding Sections 158.041 and 158.042 to read as
 1-24 follows:

1-25 Sec. 158.041. ILLNESS OR INJURY LEAVE OF ABSENCE. (a) A
 1-26 county shall provide to an employee a leave of absence for an
 1-27 illness or injury related to the employee's activities performed in
 1-28 the line of duty. The leave is with full pay for a period
 1-29 commensurate with the nature of the line of duty illness or injury.
 1-30 If necessary, the leave shall continue for at least one year.

1-31 (b) At the end of the one-year period, the commissioners
 1-32 court of the county may extend the line of duty illness or injury
 1-33 leave at full or reduced pay. If the employee's leave is not
 1-34 extended or the employee's salary is reduced below 60 percent of the
 1-35 employee's regular monthly salary, and the employee is a member of a
 1-36 pension fund, the employee may retire on pension until the employee
 1-37 is able to return to duty.

1-38 (c) If pension benefits are not available to an employee who
 1-39 is temporarily disabled by a line of duty injury or illness and if
 1-40 the year at full pay and any extensions granted by the commissioners
 1-41 court have expired, the employee may use accumulated sick leave,
 1-42 vacation time, and other accumulated time before the employee is
 1-43 placed on temporary leave.

1-44 (d) If an employee is temporarily disabled by an injury or
 1-45 illness that is not related to activities performed in the
 1-46 employee's line of duty, the employee may use all sick leave,
 1-47 vacation time, and other accumulated time before the employee is
 1-48 placed on temporary leave.

1-49 (e) After recovery from a temporary disability, an employee
 1-50 shall be reinstated at the same rank and with the same seniority the
 1-51 employee had before going on temporary leave.

1-52 (f) While an employee who is temporarily disabled is on
 1-53 leave, another employee may voluntarily do the work of the employee
 1-54 who is temporarily disabled or donate leave time to maintain the
 1-55 salary for the employee who is temporarily disabled until the
 1-56 temporarily disabled employee returns to duty.

1-57 Sec. 158.042. REAPPOINTMENT AFTER RECOVERY FROM
 1-58 DISABILITY. With the commission's approval and if otherwise
 1-59 qualified, an employee who has been certified by a physician
 1-60 selected by a pension fund as having recovered from a disability for
 1-61 which the employee has been receiving a monthly disability pension

2-1 is eligible for reappointment to the classified position that the
2-2 employee held on the date the employee qualified for the monthly
2-3 disability pension.

2-4 SECTION 2. This Act takes effect immediately if it receives
2-5 a vote of two-thirds of all the members elected to each house, as
2-6 provided by Section 39, Article III, Texas Constitution. If this
2-7 Act does not receive the vote necessary for immediate effect, this
2-8 Act takes effect September 1, 2023.

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