

1 AN ACT

2 relating to the business leave time account for a firefighter
3 employee organization in certain municipalities.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 142.014, Local Government Code, is
6 amended by adding Subsection (c-1) to read as follows:

7 (c-1) Donations to the business leave time account of an
8 employee organization by its members may be authorized in one of the
9 following ways:

10 (1) if the majority of the membership of the employee
11 organization has not affirmatively voted to require contributions
12 by the employee organization's members to its business leave time
13 account:

14 (A) a firefighter must authorize the donation in
15 writing on a form provided by the employee organization and
16 approved by the municipality; and

17 (B) after receiving the signed authorization on
18 an approved form, the municipality shall transfer donated time to
19 the account monthly until the municipality receives the
20 firefighter's written revocation of the authorization; or

21 (2) if the majority of the membership of the employee
22 organization has affirmatively voted to require contributions by
23 the employee organization's members to its business leave time
24 account:

1 (A) except as provided by Paragraph (C), the
2 municipality shall transfer donated time to the employee
3 organization's business leave time account from the accumulated
4 vacation or compensatory time of each firefighter who is a member of
5 the employee organization in the amount approved by vote of the
6 employee organization not to exceed the amount allowed under
7 Subsection (c);

8 (B) the municipality shall transfer the donated
9 time to the account monthly beginning with the first calendar month
10 that begins after the date of the employee organization vote
11 requiring contributions;

12 (C) each year, during the period beginning on the
13 60th day before the anniversary of the first day of the first
14 calendar month in which donations were first transferred to the
15 business leave time account of the employee organization under
16 Paragraph (B) and ending on the 30th day before that anniversary, a
17 firefighter who is a member of the employee organization may inform
18 the municipality in writing on a form provided by the employee
19 organization and approved by the municipality that the firefighter
20 chooses to not donate time to the account during the 12-month period
21 beginning with that anniversary; and

22 (D) the employee organization shall make up for
23 the costs which incurred during the business leave by payment to the
24 municipality in the amount equal to the overtime, pension and
25 healthcare costs associated with replacing the firefighter on
26 business leave.

27 SECTION 2. Section [142.014](#)(h), Local Government Code, is

1 repealed.

2 SECTION 3. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 3980 was passed by the House on May 2, 2023, by the following vote: Yeas 140, Nays 4, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3980 was passed by the Senate on May 24, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor