

By: Frazier

H.B. No. 3980

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

(2) if the majority of the membership of the employee organization has affirmatively voted to require contributions by the employee organization's members to its business leave time 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; and

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;

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.