

1-1 By: Frazier, et al. (Senate Sponsor - Johnson) H.B. No. 3980  
 1-2 (In the Senate - Received from the House May 3, 2023;  
 1-3 May 5, 2023, read first time and referred to Committee on Local  
 1-4 Government; May 22, 2023, reported favorably by the following  
 1-5 vote: Yeas 9, Nays 0; May 22, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

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

1-19 relating to the business leave time account for a firefighter  
 1-20 employee organization in certain municipalities.

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

1-22 SECTION 1. Section 142.014, Local Government Code, is  
 1-23 amended by adding Subsection (c-1) to read as follows:

1-24 (c-1) Donations to the business leave time account of an  
 1-25 employee organization by its members may be authorized in one of the  
 1-26 following ways:

1-27 (1) if the majority of the membership of the employee  
 1-28 organization has not affirmatively voted to require contributions  
 1-29 by the employee organization's members to its business leave time  
 1-30 account:

1-31 (A) a firefighter must authorize the donation in  
 1-32 writing on a form provided by the employee organization and  
 1-33 approved by the municipality; and

1-34 (B) after receiving the signed authorization on  
 1-35 an approved form, the municipality shall transfer donated time to  
 1-36 the account monthly until the municipality receives the  
 1-37 firefighter's written revocation of the authorization; or

1-38 (2) if the majority of the membership of the employee  
 1-39 organization has affirmatively voted to require contributions by  
 1-40 the employee organization's members to its business leave time  
 1-41 account:

1-42 (A) except as provided by Paragraph (C), the  
 1-43 municipality shall transfer donated time to the employee  
 1-44 organization's business leave time account from the accumulated  
 1-45 vacation or compensatory time of each firefighter who is a member of  
 1-46 the employee organization in the amount approved by vote of the  
 1-47 employee organization not to exceed the amount allowed under  
 1-48 Subsection (c);

1-49 (B) the municipality shall transfer the donated  
 1-50 time to the account monthly beginning with the first calendar month  
 1-51 that begins after the date of the employee organization vote  
 1-52 requiring contributions;

1-53 (C) each year, during the period beginning on the  
 1-54 60th day before the anniversary of the first day of the first  
 1-55 calendar month in which donations were first transferred to the  
 1-56 business leave time account of the employee organization under  
 1-57 Paragraph (B) and ending on the 30th day before that anniversary, a  
 1-58 firefighter who is a member of the employee organization may inform  
 1-59 the municipality in writing on a form provided by the employee  
 1-60 organization and approved by the municipality that the firefighter  
 1-61 chooses to not donate time to the account during the 12-month period

2-1 beginning with that anniversary; and  
2-2 (D) the employee organization shall make up for  
2-3 the costs which incurred during the business leave by payment to the  
2-4 municipality in the amount equal to the overtime, pension and  
2-5 healthcare costs associated with replacing the firefighter on  
2-6 business leave.

2-7 SECTION 2. Section 142.014(h), Local Government Code, is  
2-8 repealed.

2-9 SECTION 3. This Act takes effect September 1, 2023.

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