

BILL ANALYSIS

Senate Research Center
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H.B. 622
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Engrossed

DIGEST AND PURPOSE

Under current law, the Dallas chief of police may authorize employees to take time off from work to conduct employee organization business. However, the employee organization is required to reimburse the municipality for all time its members take under this authorization. H.B. 622 requires certain large municipalities to establish and maintain a business leave time account for each police officer employee organization. Members of those organizations accumulating vacation or compensatory time may choose to donate some of that time to the account, resulting in cancellation of time taken off by other members for business purposes. By decreasing the total number of hours requiring reimbursement to the municipality, the bill would decrease the amount of money due by the organization. H.B. 622 applies only to municipalities of one million or more that have not adopted civil service provisions for peace officers.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 142, Local Government Code, by adding Section 142.013, as follows:

Sec. 142.013. BUSINESS LEAVE TIME ACCOUNT FOR POLICE OFFICERS IN CERTAIN MUNICIPALITIES. (a) Provides that this section is limited to police officers employed by a municipality with a population of one million or more that has not adopted Chapter 174 of the Local Government Code (Fire and Police Employee Relations) and to which Section 143 .1261 of the Local Government Code (Legislative Leave Account) does not apply.

(b) Defines “business leave” and "employee organization.”

(c) Authorizes a police officer to donate not more than two hours for each month of accumulated vacation or compensatory time to the business leave time account of an employee organization. Requires the municipality to establish and maintain a business leave time account for each employee organization.

(d) Requires the police officer to authorize the donation in writing on a form provided by the employee organization and approved by the municipality. Requires the municipality, after receiving the signed authorization on an approved form, to transfer donated time to the account monthly until the municipality receives the police officer's written revocation of the authorization.

(e) Authorizes only a police officer who is a member of an employee organization to use for business leave purposes the time donated to the account of that employee organization. Authorizes a police officer to use for business leave purposes the time donated under this section without receiving a reduction in salary and without reimbursing the municipality.

(f) Requires a request to use for business leave purposes the time in an employee organization's time account to be in writing and submitted to the municipality by the president or the equivalent officer of the employee organization or by that officer's designee.

(g) Requires the municipality to grant a request for business leave that complies with Subsection (f) unless certain conditions exist.

(h) Requires the municipality to account for the time donated to the account and used from the account. Requires the municipality to credit and debit the account on an hour-for-hour basis regardless of the cash value of the time donated or used.

(i) Prohibits an employee organization from using for business leave purposes more than 4,000 hours from its business leave time account under this section in a calendar year. Provides that this subsection does not prevent an employee organization from accumulating more than 4,000 hours, but only addresses the total number of donated hours that an employee organization may use in any calendar year.

(j) Provides that the use of business leave by a police officer under this section is not a break in service for any purpose and is treated as any other paid leave.

SECTION 2. Effective date: upon passage or September 1, 2003.