

BILL ANALYSIS

C.S.H.B. 2385

By: Griggs

Defense Affairs and State-Federal Relations
Committee Report (Substituted)

BACKGROUND AND PURPOSE

With the events occurring in the Persian Gulf, many county and municipal employees who serve as reserve military troops have been called up to active duty and deployed to the war region, or another location in support of the US military campaign in the Gulf. If the action against Iraq continues for an extended period, many soldiers could exhaust their military leave time and lose the supplemental salary they receive from their "regular" jobs and have come to rely on to support their families during this time.

HB 2385 would allow a municipality or county to voluntarily continue paying salary payments for active duty soldiers after all military leave time has been exhausted.

RULEMAKING AUTHORITY

It is the opinion of the Committee that this bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. HB 2385 allows a county or municipality to provide temporary salary payments for municipal and county employees called to active military duty. The bill defines who is eligible or ineligible for continuing salary payments. It provides that salary continuation will only occur after exhaustion of all military leave to which a person is entitled. The permissive legislation allows the appropriate governing body to determine the amount of continuing salary.

The bill allows the governing body to adopt rules to implement the salary payments. It excludes other benefits from being affected by the continuation of the salary.

SECTION 2. This Act takes effect September 1, 2003, unless it receives the votes necessary for immediate effect.

COMPARISON OF ORIGINAL TO SUBSTITUTE:

The substitute modifies the original version of the bill by making a clarification in Section 173.003 that the governing body that authorizes payments may approve the manner in which payments would be made. This is to prevent an employee from dictating that payments be made more frequently or on a different schedule than normal.

The substitute modifies the original version of the bill by eliminating the provision of a September 1, 2005 expiration of the chapter.