

BILL ANALYSIS

C.S.H.B. 2400

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

BACKGROUND AND PURPOSE

Currently, Texas law does not require municipalities to provide military leave time accounts for fire fighters or police officers or to maintain their health, dental, and life insurance coverage and benefits should a fire fighter or police officer be called to active military duty. Additionally, there is no authorization for a fire fighter or police officer to substitute voluntarily for a fire fighter or police officer who has been called to federal active military duty. C.S.H.B. 2400, as proposed, would require municipalities to provide a military leave time accounts for fire fighters or police officers and to maintain their health, dental, and life insurance coverage and benefits should a fire fighter or police officer be called to active duty. Also, this bill authorizes a fire fighter or police officer to substitute voluntarily for a fire fighter or police officer who has been called to federal active military duty, as long as that fire fighter or police officer is qualified to perform the duties of the absent fire fighter or police officer.

RULEMAKING AUTHORITY

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

ANALYSIS

SECTION 1. C.S.H.B. 2400 requires a municipality to maintain separate military leave time accounts for the fire and police departments.

This section requires that a military leave time account benefit a fire fighter or police officer who meets certain criteria. It also allows for a fire fighter or police officer to donate any amount of accumulated vacation, holiday, or compensatory leave time to the military leave account for their respective department.

The bill would require a municipality to distribute equally the leave time donated to a military leave time account among all fire fighters or police officers who are eligible beneficiaries of that account. It also requires the municipality to credit and debit the applicable military leave time account on an hourly basis regardless of the cash value of the time donated or used.

This section requires the respective department to continue maintaining any health, dental, or life insurance coverage and benefits until receipt of written instructions from the fire fighter or police officer to change or discontinue coverage.

The bill authorizes a fire fighter or police officer to substitute voluntarily, without restriction as to amount of time, for a fire fighter or police officer called to active duty for a period to last twelve months or longer. It also requires the fire fighter or police officer who substitutes voluntarily to be qualified to perform the duties of the absent fire fighter or police officer.

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 is a legislative council draft. It modifies the original version of the bill by clarifying the requirements a fire fighter or police officer must meet in order to be eligible. Also, sick leave time may be donated to the military leave time account in the pertaining municipal department to help provide for salary continuation for eligible beneficiaries. The substitute also requires that the employing municipality continue to maintain any health, dental, or life insurance coverage and benefits until receiving written instruction from the person called to active duty to change or discontinue coverage. Also, the substitute adds a provision requiring the person substituting for the fire fighter or police officer called to active duty to have certain qualifications.