

## **BILL ANALYSIS**

S.B. 1174

By: Harris

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

### **BACKGROUND AND PURPOSE**

Currently, Texas law does not provide for a temporary continuation of salary for municipal and county employees who are members of a reserve component of the United States armed forces called to active duty. S.B. 1174 authorizes a county or municipality to continue paying a municipal or county employee who is a member of a reserve component of the armed forces of the United States called to active duty, including any appropriate part of the state military forces, the employee's salary, as determined by the governing body of the municipality or the commissioners court.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that 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 Government Code to extend certain temporary salary payments to a municipal or county employee who is a member of a reserve component of the armed forces of the United States, including any appropriate part of the state military forces, and who by virtue of that membership is called to active duty in the armed forces of the United States by federal authority without the person's consent before, on, or after the effective date of this chapter as part of a partial or total mobilization of the reserve components of the armed forces.

This bill provides that this chapter does not apply certain to a person who ceases to be employed by a municipality or county because the person resigns or is terminated for a reason that is not a direct consequence of the person's call to active duty as described by this bill, or to a person who commits a voluntary act that extends the person's original assigned service to active duty.

This bill authorizes the municipality, notwithstanding any other law, if a person to whom this chapter applies exhausts all military leave to which the person is entitled under state law, to continue the person's municipal or county salary payments under this chapter, in an amount determined by the governing body of the municipality or the commissioners court, as applicable, until the person is no longer required to serve on active duty under the circumstances described by this bill.

This bill provides that the salary payments authorized are payable from the general fund of the municipality or county, or other funds available for that purpose on the date the person is called to active duty, and only for a municipal or county pay period that began on or after September 1, 2002.

This bill authorizes salary payments under this chapter to be paid in the manner directed by the person, subject to the approval of the governing body of a municipality or the commissioners court, as applicable, except as provided by other law.

This bill authorizes the governing body of a municipality and the commissioners court of a county to adopt rules to implement this chapter.

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