

By: Goolsby

H.B. No. 622

A BILL TO BE ENTITLED

AN ACT

1
2 relating to business leave time accounts for police officers in
3 certain municipalities.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 142, Local Government Code, is amended
6 by adding Section 142.013 to read as follows:

7 Sec. 142.013. BUSINESS LEAVE TIME ACCOUNT FOR POLICE
8 OFFICERS IN CERTAIN MUNICIPALITIES. (a) This section applies only
9 to police officers employed by a municipality with a population of
10 one million or more that has not adopted Chapter 174 and to which
11 Section 143.1261 does not apply.

12 (b) In this section, "business leave" means leave taken for
13 the purpose of attending to the business of an employee
14 organization.

15 (c) A police officer may donate not more than two hours for
16 each month of accumulated vacation or compensatory time to the
17 business leave time account of an employee organization. The
18 municipality shall establish and maintain a business leave time
19 account for each employee organization.

20 (d) The police officer must authorize the donation in
21 writing on a form provided by the employee organization and
22 approved by the municipality. After receiving the signed
23 authorization on an approved form, the municipality shall transfer
24 donated time to the account monthly until the municipality receives

1 the police officer's written revocation of the authorization.

2 (e) Only a police officer who is a member of an employee
3 organization may use for business leave purposes the time donated
4 to the account of that employee organization. A police officer may
5 use for business leave purposes the time donated under this section
6 without receiving a reduction in salary and without reimbursing the
7 municipality.

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

12 (g) The municipality shall grant a request for business
13 leave that complies with Subsection (f) unless:

14 (1) denial of the request is necessary because of an
15 emergency; or

16 (2) a grant of the request will result in having an
17 insufficient number of police officers to carry out the normal
18 functions of the municipality.

19 (h) The municipality shall account for the time donated to
20 the account and used from the account. The municipality shall
21 credit and debit the account on an hour-for-hour basis regardless
22 of the cash value of the time donated or used.

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

1 employee organization may use in any calendar year.

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

5 SECTION 2. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2003.