

1-1 By: Gallegos S.B. No. 1288
1-2 (In the Senate - Filed March 12, 2003; March 19, 2003, read
1-3 first time and referred to Committee on Veteran Affairs and
1-4 Military Installations; April 9, 2003, reported favorably, as
1-5 amended, by the following vote: Yeas 4, Nays 0; April 9, 2003, sent
1-6 to printer.)

1-7 COMMITTEE AMENDMENT NO. 1 By: Shapleigh

1-8 Amend S.B. No. 1288 as follows:

1-9 On page 2, strike line 13 in its entirety and substitute in
1-10 lieu thereof the following:

1-11 "SECTION 2. This Act takes effect immediately if it
1-12 receives a vote of two-thirds of all the members elected to each
1-13 house, as provided by Section 39, Article III, Texas Constitution.
1-14 If this Act does not receive the vote necessary for immediate
1-15 effect, this Act takes effect September 1, 2003."

1-16 COMMITTEE AMENDMENT NO. 2 By: Estes

1-17 Amend S.B. No. 1288 as follows:

1-18 On page 1, line 42, insert the following between "holiday,"
1-19 and "or": "sick,".

1-20 A BILL TO BE ENTITLED
1-21 AN ACT

1-22 relating to military leave and military leave time accounts for
1-23 certain municipal firefighters and police officers.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter G, Chapter 143, Local Government
1-26 Code, is amended by adding Section 143.1262 to read as follows:

1-27 Sec. 143.1262. MILITARY LEAVE AND MILITARY LEAVE TIME
1-28 ACCOUNTS. (a) A municipality shall maintain military leave time
1-29 accounts for the fire and police departments and must maintain a
1-30 separate military leave time account for each department.

1-31 (b) A military leave time account shall benefit a fire
1-32 fighter or police officer who:

1-33 (1) is a member of the Texas National Guard or the
1-34 armed forces reserves of the United States;

1-35 (2) was called to active federal military duty while
1-36 serving as a fire fighter or police officer for the municipality;

1-37 (3) has served on active duty for a period of 12
1-38 continuous months or longer; and

1-39 (4) has exhausted the balance of the person's
1-40 vacation, holiday, and compensatory leave time accumulations.

1-41 (c) A fire fighter or police officer may donate any amount
1-42 of accumulated vacation, holiday, or compensatory leave time to the
1-43 military leave time account in that fire fighter's or police
1-44 officer's department to help provide salary continuation for fire
1-45 fighters or police officers who qualify as eligible beneficiaries
1-46 of the account under Subsection (b). A fire fighter or police
1-47 officer who wishes to donate time to an account under this section
1-48 must authorize the donation in writing on a form provided by the
1-49 fire or police department and approved by the municipality.

1-50 (d) A municipality shall equally distribute the leave time
1-51 donated to a military leave time account among all fire fighters or
1-52 police officers who are eligible beneficiaries of that account.
1-53 The municipality shall credit and debit the applicable military
1-54 leave time account on an hourly basis regardless of the cash value
1-55 of the time donated or used.

1-56 (e) If a fire fighter or police officer employed by a
1-57 municipality is called to active military duty for any period, the
1-58 employing municipality must continue to maintain any health,
1-59 dental, or life insurance coverage and any health or dental
1-60 benefits coverage that the fire fighter or police officer received

through the municipality on the date the fire fighter or police officer was called to active military duty until the municipality receives written instructions from the fire fighter or police officer to change or discontinue the coverage.

(f) A fire fighter or police officer may, without restriction as to the amount of time, voluntarily substitute for a fire fighter or police officer described by Subsections (b)(1) and (2) who has been called to active federal military duty for a period expected to last 12 months or longer. A fire fighter or police officer who voluntarily substitutes under this subsection must be qualified to perform the duties of the absent fire fighter or police officer.

SECTION 2. This Act takes effect September 1, 2003.

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