

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 3, 2003

TO: Honorable Robert Talton, Chair, House Committee on Urban Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1970 by Uresti (Relating to a legislative leave time bank for fire fighters and police officers in certain municipalities and counties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to require the state, a municipality with a population of 200,000 or more, and a county with a population of 500,000 or more to establish and maintain a legislative leave time bank to which fire fighters and peace officers employed by those respective government entities may voluntarily donate up to one hour per month of accumulated vacation or compensatory time. The donated leave time would be only for use as legislative leave by a peace officer or fire fighter who is a member of a peace officer or fire fighter employee organization. Processes for use of the leave time are delineated in the proposed statute.

Unused leave time donated to the account would carry over perpetually each year. The governmental body would be authorized to determine the cash value of the donated leave time and credit that amount to an account in the name of the organization and then deduct the cash value of legislative leave used from the account or exchange hours used for legislative leave on an hour for hour basis for the hours accumulated, regardless of cash value.

The bill would take effect September 1, 2003.

State agencies that employ peace officers or fire fighters anticipate any costs associated with implementation of the bill would be insignificant or absorbed using existing resources.

Three of the 10 municipalities and two of the seven counties that meet the population criteria for which the bill would apply provided information regarding the fiscal impact to local government.

The City of Corpus Christi identified as the primary cost, overtime for officers or fire fighters required to work in place of those using legislative leave time. At the average hourly rate and number of hours per shift, the city estimates \$1,270 per day to replace both a fire fighter and a peace officer taking legislative leave. There would also be administrative costs for maintaining and tracking donation and use of time.

The City of Houston, where meet and confer has been adopted, already operates a version of the system described in the bill; therefore, there would be no fiscal impact.

The City of El Paso also already operates a legislative leave system as a result of a collective bargaining agreement. To adapt the system to the provisions of the bill would require an additional staffperson in payroll for tracking the leave and value of the leave. The city estimates that the fiscal impact would be insignificant.

Both Dallas and Harris county identified that there would be administrative costs incurred by the county to establish and maintain a legislative leave bank. Harris County estimates there are over 1,000 sheriff's deputies working for the county that belong to one of several employee organizations. The county anticipates that a tracking system would have to be created and staff hired to maintain the

system. Although exact costs were not estimated, the county anticipates the fiscal impact would be insignificant. In addition to the same issues addressed by Harris County, Dallas County also identified the costs of overtime for manpower shortages while legislative leave time would be used.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 405 Department of Public Safety, 454 Department of Insurance

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