

By: Bailey

H.B. No. 771

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to business leave time accounts for peace officers and  
3 detention officers in certain counties.

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

5 SECTION 1. Subchapter Z, Chapter 157, Local Government  
6 Code, is amended by adding Section 157.906 to read as follows:

7 Sec. 157.906. BUSINESS LEAVE TIME ACCOUNT FOR OFFICERS IN  
8 CERTAIN COUNTIES. (a) This section applies only to an officer  
9 employed by a county with a population of three million or more.

10 (b) In this section:

11 (1) "Business leave" means leave taken for the purpose  
12 of attending to the business of an employee organization.

13 (2) "Officer" means a person who is:

14 (A) a peace officer under Article 2.12, Code of  
15 Criminal Procedure; or

16 (B) a detention officer or jailer licensed under  
17 Chapter 1701, Occupations Code.

18 (c) An officer may donate not more than five hours each year  
19 of accumulated vacation or compensatory time to the business leave  
20 time account of an employee organization. The county shall  
21 establish and maintain a business leave time account for each  
22 employee organization.

23 (d) The officer must authorize the donation in writing on a  
24 form provided by the employee organization and approved by the

1 county. After receiving the signed authorization on an approved  
2 form, the county shall transfer donated time to the account  
3 annually until the county receives the officer's written revocation  
4 of the authorization.

5 (e) Only an officer who is a member of an employee  
6 organization may use for business leave purposes the time donated  
7 to the account of that employee organization. An officer may use  
8 for business leave purposes the time donated under this section  
9 without receiving a reduction in salary and without reimbursing the  
10 county.

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

15 (g) The county shall grant a request for business leave that  
16 complies with Subsection (f) unless:

17 (1) denial of the request is necessary because of an  
18 emergency; or

19 (2) a grant of the request will result in having an  
20 insufficient number of officers to carry out the normal functions  
21 of the county.

22 (h) The county shall account for the time donated to the  
23 account and used from the account. The county shall credit and  
24 debit the account on an hour-for-hour basis regardless of the cash  
25 value of the time donated or used.

26 (i) An employee organization may not use for business leave  
27 purposes more than 4,000 hours from its business leave time account

1 under this section in a calendar year. This subsection does not  
2 prevent an employee organization from accumulating more than 4,000  
3 hours.

4 (j) An officer may:

5 (1) use business leave under this section for  
6 legislative leave purposes in lieu of following the procedures  
7 prescribed by Subchapter A, Chapter 614, Government Code, or  
8 another legislative leave statute; or

9 (2) take legislative leave under Subchapter A, Chapter  
10 614, Government Code, or another applicable legislative leave  
11 statute.

12 (k) The use of business leave by an officer under this  
13 section is not a break in service for any purpose and is treated as  
14 any other paid leave.

15 SECTION 2. This Act takes effect September 1, 2005.