

1-1 By: Van de Putte S.B. No. 1345
1-2 (In the Senate - Filed March 10, 2005; March 21, 2005, read
1-3 first time and referred to Committee on Government Organization;
1-4 April 13, 2005, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; April 13, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the amount of emergency leave granted by state agencies
1-9 to state employees on unpaid military leave.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 661.9041, Government Code, is amended to
1-12 read as follows:

1-13 Sec. 661.9041. DIFFERENTIAL PAY. (a) The administrative
1-14 head of a state agency shall grant sufficient emergency leave as
1-15 differential pay to a state employee on unpaid military leave if the
1-16 employee's military [~~gross~~] pay is less than the employee's state
1-17 gross pay. The combination of emergency leave and military pay may
1-18 not exceed the employee's actual state gross pay.

1-19 (b) For purposes of Subsection (a), military pay does not
1-20 include money the employee receives:

1-21 (1) for service in a combat zone;

1-22 (2) as hardship pay; or

1-23 (3) for being separated from the employee's family.

1-24 (c) The state auditor shall adopt guidelines to assist state
1-25 agencies in determining the amount of emergency leave to grant to an
1-26 employee under this section as differential pay.

1-27 SECTION 2. Not later than December 1, 2005, the Office of
1-28 the State Auditor shall develop guidelines required by Section
1-29 661.9041, Government Code, as amended by this Act.

1-30 SECTION 3. This Act takes effect immediately if it receives
1-31 a vote of two-thirds of all the members elected to each house, as
1-32 provided by Section 39, Article III, Texas Constitution. If this
1-33 Act does not receive the vote necessary for immediate effect, this
1-34 Act takes effect September 1, 2005.

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