

BILL ANALYSIS

S.B. 1946
By: West
Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, firefighters in Dallas are not authorized to establish business leave accounts similar to those created for firefighters and police officers in other urban municipalities.

S.B. 1946 authorizes a firefighter employed by a certain municipality who is a member of an employee organization to donate not more than one hour for each quarter of accumulated leave time to the business leave time account of the employee organization to which the firefighter belongs.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1946 amends the Local Government Code to authorize a firefighter who is a member of an employee organization to donate not more than one hour for each quarter of accumulated leave time to the business leave time account of the employee organization to which the firefighter belongs. The bill defines "employee organization" to mean the Dallas Fire Fighters Association, the Dallas Black Fire Fighters Association, and the Dallas Hispanic Firefighters Association and defines "business leave" to mean leave taken for the purpose of attending to the business of an employee organization. The bill requires the municipality employing the firefighter to establish and maintain a separate business leave time account for each employee organization that has approved or ratified the use of business leave time by its members under the bill's provisions.

S.B. 1946 authorizes only a firefighter who is a member of an employee organization to use for business leave purposes the time donated to the account of the employee organization. The bill authorizes a firefighter to use for business leave purposes the time donated without receiving a reduction in salary and without reimbursing the municipality. The bill requires a request to use for business leave purposes the time in an employee organization's time account to be in writing and to be submitted to the municipality by the president or the equivalent officer of the employee organization or by that officer's designee. The bill requires a municipality to grant such a request for business leave unless denial of the request is necessary because of an emergency or a grant of the request will result in having an insufficient number of firefighters to carry out the normal functions of the municipality. The bill requires the municipality to account for the time donated to each account and used from each account and to credit and debit an account on an hour-for-hour basis regardless of the cash value of the time donated or used.

S.B. 1946 prohibits an employee organization from using for business leave purposes more than 4,000 hours from its business leave time account in a calendar year unless the municipality approves the use of hours in excess of 4,000. The bill clarifies that such prohibition does not prevent an employee organization from accumulating more than 4,000 hours, but only addresses the total number of donated hours that an employee organization may use in any calendar year.

The bill clarifies that the use of business leave by a firefighter under the bill's provisions is not a break in service for any purpose and is treated as any other paid leave.

S.B. 1946 makes its provisions applicable only to firefighters employed by a municipality with a population of one million or more that has not adopted the Fire and Police Employee Relations Act and to which provisions relating to municipal civil service for firefighters and police offers do not apply.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.