

BILL ANALYSIS

Senate Research Center

S.B. 1946
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

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.

As proposed, S.B. 1946 requires the City of Dallas to establish and maintain a business leave time account for the Dallas Firefighters Association and authorizes members of that association who accumulate vacation or compensatory time to donate time to the account.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 142, Local Government Code, by adding Section 142.0135, as follows.

Sec. 142.0135. BUSINESS LEAVE TIME ACCOUNT FOR FIRE FIGHTERS IN CERTAIN MUNICIPALITIES. (a) Provides that this section applies only to fire fighters employed by a municipality with a population of one million or more that has not adopted Chapter 174 (Fire and Police Employee Relations) and to which Chapter 143 (Municipal Civil Service for Firefighters and Police Officers) does not apply.

(b) Defines "business leave." Provides that "employee organization" includes the Dallas Fire Fighter's Association.

(c) Requires a fire fighter to donate not more than one hour for each quarter of accumulated time to the business leave time account of the Dallas Fire Fighter's Association. Requires the municipality to establish and maintain a business leave time account for the employee organization.

(d) Authorizes only a fire fighter who is a member of the Dallas Fire Fighter's Association to use for business leave purposes the time donated to the account of the employee organization. Authorizes a fire fighter to use for business leave purposes the time donated under this section without receiving a reduction in salary and without reimbursing the municipality.

(e) Requires that a request to use for business leave purposes the time in an employee organization's time account be in writing and submitted to the municipality by the president or the equivalent officer of the employee organization or by that officer's designee.

(f) Requires the municipality to grant a request for business leave that complies with Subsection (f) 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 fire fighters to carry out the normal functions of the municipality.

(g) Requires the municipality to account for the time donated to the account and used from the account. Requires the municipality to credit and debit the account on an hour-for-hour basis regardless of the cash value of the time donated or used.

(h) Prohibits the employee organization from using for business leave purposes more than 4,000 hours from its business leave time account under this section in a calendar year, unless the municipality approves the use of hours in excess of 4,000. Provides that this subsection 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.

(i) Provides that the use of business leave by a fire fighter under this section is not a break in service for any purpose and is treated as any other paid leave.

SECTION 2. Effective date: upon passage or September 1, 2009.