

1-1 By: Maldonado, et al. (Senate Sponsor - Lucio) H.B. No. 1960  
1-2 (In the Senate - Received from the House April 23, 2009;  
1-3 May 1, 2009, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 18, 2009, reported favorably by  
1-5 the following vote: Yeas 5, Nays 0; May 18, 2009, sent to printer.)

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

1-8 relating to the payment for an appearance as a witness for certain  
1-9 peace officers and firefighters.

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

1-11 SECTION 1. The heading to Section 142.009, Local Government  
1-12 Code, is amended to read as follows:

1-13 Sec. 142.009. PAYMENT FOR ~~[COURT]~~ APPEARANCES OF FIRE  
1-14 FIGHTERS AND POLICE OFFICERS IN COURT OR ADMINISTRATIVE  
1-15 PROCEEDINGS.

1-16 SECTION 2. Section 142.009(a), Local Government Code, is  
1-17 amended to read as follows:

1-18 (a) A municipality shall pay a fire fighter or police  
1-19 officer for an appearance as a witness in a criminal suit, ~~[or]~~ a  
1-20 civil suit, or an administrative proceeding in which the  
1-21 municipality or other political subdivision or government agency is  
1-22 a party in interest if the appearance:

- 1-23 (1) is required;  
1-24 (2) is made on time off; and  
1-25 (3) is made by the fire fighter or police officer in  
1-26 the capacity of a fire fighter or police officer.

1-27 SECTION 3. Subchapter Z, Chapter 157, Local Government  
1-28 Code, is amended by adding Section 157.906 to read as follows:

1-29 Sec. 157.906. PAYMENT FOR APPEARANCES OF PEACE OFFICERS  
1-30 EMPLOYED BY COUNTY IN COURT OR ADMINISTRATIVE PROCEEDINGS. (a) A  
1-31 county shall pay a peace officer employed by the county for an  
1-32 appearance as a witness in a criminal suit, a civil suit, or an  
1-33 administrative proceeding in which the county or other political  
1-34 subdivision or government agency is a party in interest if the  
1-35 appearance:

- 1-36 (1) is required;  
1-37 (2) is made on time off; and  
1-38 (3) is made by the peace officer in the capacity of a  
1-39 peace officer.

1-40 (b) Payment under this section is at the peace officer's  
1-41 regular rate of pay.

1-42 (c) Payment under this section may be taxed as court costs  
1-43 in civil suits.

1-44 (d) This section does not reduce or prohibit compensation  
1-45 paid in excess of the regular rate of pay.

1-46 SECTION 4. This Act takes effect immediately if it receives  
1-47 a vote of two-thirds of all the members elected to each house, as  
1-48 provided by Section 39, Article III, Texas Constitution. If this  
1-49 Act does not receive the vote necessary for immediate effect, this  
1-50 Act takes effect September 1, 2009.

1-51 \* \* \* \* \*