

By: Bolton

H.B. No. 3158

A BILL TO BE ENTITLED

AN ACT

relating to the accumulation and payment of sick leave for employees in certain sheriff's departments.

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

SECTION 1. Subchapter B, Chapter 158, Local Government Code, is amended by adding Section 158.0365 to read as follows:

Sec. 158.0365. ACCUMULATION AND PAYMENT OF SICK LEAVE. (a)

An employee may accumulate sick leave without limit and may use the leave if the employee is unable to work because of a bona fide illness.

(b) An employee who leaves the classified service for any reason is entitled to receive in a lump-sum payment the full amount of the employee's salary for accumulated sick leave if the employee has accumulated not more than 720 hours of sick leave. If an employee has accumulated more than 720 hours of sick leave, the employer may limit payment to the amount that the employee would have received if the employee had been allowed to use 720 hours of accumulated sick leave during the last six months of the employee's employment. The lump-sum payment is computed by compensating the employee for the accumulated time at the highest permanent pay classification for which the employee was eligible during the last six months of the employee's employment. The employer shall pay the employee for the same period for which the employee would have been paid if the employee had taken sick leave, other than for additional

1 holidays, sick leave, or vacation time that the employee would have
2 accrued during the 720 hours.

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2009.