

By: Flynn, Kleinschmidt, Guillen

H.B. No. 83

Substitute the following for H.B. No. 83:

By: Flynn

C.S.H.B. No. 83

A BILL TO BE ENTITLED

AN ACT

relating to compensation and employment benefits for members of the state military forces called to state active duty.

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

SECTION 1. Section 431.082, Government Code, is amended by adding Subsection (d) to read as follows:

(d) A member of the state military forces called to state active duty is a temporary state employee while on state active duty but does not count toward a limitation on the number of full-time employee positions of the adjutant general's department. If the length of state active duty for a member of the state military forces called to state active duty exceeds 45 consecutive days, the adjutant general may pay the member an amount not to exceed 165 percent of the amount authorized by the General Appropriations Act. If the length of state active duty for a member of the state military forces called to state active duty exceeds 90 consecutive days, the member is after the 90th day eligible for coverage in the group benefits program, eligible for membership in the employee class of the Employees Retirement System of Texas, and otherwise eligible to receive benefits provided to state employees whose employment may be temporary.

SECTION 2. Section 431.0825, Government Code, is amended to read as follows:

Sec. 431.0825. EMPLOYEES IN STATE MILITARY FORCES [~~NATIONAL~~

1 ~~GUARD~~]; EMERGENCY LEAVE. A state employee or an employee of a
2 municipality, county, or other political subdivision of the state
3 called to state active duty as a member of the state military forces
4 by the governor is entitled to receive paid emergency leave without
5 loss of military leave under Section 431.005(a) or annual leave.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2011.