

By: Van de Putte
(Flynn)

S.B. No. 1737

A BILL TO BE ENTITLED

AN ACT

relating to accrual and use of leave of absence for certain training or duty, including military training or duty, by public employees and officers.

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

SECTION 1. Section 431.005, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Except as provided by Subsections (a-1) and ~~[Subsection]~~ (b), a person who is an officer or employee of the state, a municipality, a county, or another political subdivision of the state and who is a member of the state military forces, a reserve component of the armed forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to a paid leave of absence from the person's duties on a day on which the person is engaged in authorized training or duty ordered or authorized by proper authority for not more than 15 workdays in a federal fiscal year. During a leave of absence the person may not be subjected to loss of time, efficiency rating, personal time, sick leave, or vacation time.

(a-1) An officer or employee of the state is entitled to carry forward from one federal fiscal year to the next the net balance of unused accumulated leave under Subsection (a) that does not exceed 45 workdays.

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

Sec. 431.0825. EMPLOYEES IN NATIONAL GUARD; EMERGENCY LEAVE. (a) A state employee called to state active duty as a member of the state military forces by the governor is entitled to receive paid emergency leave without loss of military leave under Section 431.005(a) or annual leave.

(b) A state employee called to federal active duty for the purpose of providing assistance to civil authorities in a declared emergency or for training for that purpose is entitled to receive paid emergency leave for not more than 22 workdays without loss of military leave under Section 431.005(a) or annual leave.

(c) The duty or training under Subsection (b) does not include duty or training carried out under Section 431.005(a).

SECTION 3. This Act takes effect September 1, 2011.