

1-1 By: Van de Putte S.B. No. 1737
1-2 (In the Senate - Filed March 11, 2011; March 23, 2011, read
1-3 first time and referred to Committee on Veteran Affairs and
1-4 Military Installations; May 2, 2011, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 4,
1-6 Nays 0; May 2, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1737 By: Van de Putte

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to accrual and use of leave of absence for certain training
1-11 or duty, including military training or duty, by public employees
1-12 and officers.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 431.005, Government Code, is amended by
1-15 amending Subsection (a) and adding Subsection (a-1) to read as
1-16 follows:

1-17 (a) Except as provided by Subsections (a-1) and
1-18 ~~[Subsection]~~ (b), a person who is an officer or employee of the
1-19 state, a municipality, a county, or another political subdivision
1-20 of the state and who is a member of the state military forces, a
1-21 reserve component of the armed forces, or a member of a state or
1-22 federally authorized Urban Search and Rescue Team is entitled to a
1-23 paid leave of absence from the person's duties on a day on which the
1-24 person is engaged in authorized training or duty ordered or
1-25 authorized by proper authority for not more than 15 workdays in a
1-26 federal fiscal year. During a leave of absence the person may not
1-27 be subjected to loss of time, efficiency rating, personal time,
1-28 sick leave, or vacation time.

1-29 (a-1) An officer or employee of the state is entitled to
1-30 carry forward from one federal fiscal year to the next the net
1-31 balance of unused accumulated leave under Subsection (a) that does
1-32 not exceed 45 workdays.

1-33 SECTION 2. Section 431.0825, Government Code, is amended to
1-34 read as follows:

1-35 Sec. 431.0825. EMPLOYEES IN NATIONAL GUARD; EMERGENCY
1-36 LEAVE. (a) A state employee called to state active duty as a
1-37 member of the state military forces by the governor is entitled to
1-38 receive paid emergency leave without loss of military leave under
1-39 Section 431.005(a) or annual leave.

1-40 (b) A state employee called to federal active duty for the
1-41 purpose of providing assistance to civil authorities in a declared
1-42 emergency or for training for that purpose is entitled to receive
1-43 paid emergency leave for not more than 22 workdays without loss of
1-44 military leave under Section 431.005(a) or annual leave.

1-45 (c) The duty or training under Subsection (b) does not
1-46 include duty or training carried out under Section 431.005(a).

1-47 SECTION 3. This Act takes effect September 1, 2011.

1-48 * * * * *