

## **BILL ANALYSIS**

C.S.H.B. 418  
By: Farias  
Defense & Veterans' Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Texas does not generally provide post-deployment leave or reintegration time to veterans returning to employment with state agencies. Interested parties contend that post-deployment leave programs, such as the veteran assistance program administered by the Department of Public Safety (DPS), are beneficial to veterans. The DPS program assists veteran employees and their families by providing, among other services and benefits, post-deployment leave upon a veteran's return to the agency. C.S.H.B. 418 seeks to create a post-deployment leave program for state employees.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 418 amends the Government Code to entitle an employee of an agency in the executive or judicial branch of state government to leave if the state employee is a member of a reserve component of the U.S. military, including the National Guard; is ordered to federal active duty for at least 180 days during a period of war or during an ongoing recognized conflict for which a campaign medal is authorized, or to support stability operations after the end of a war or conflict; and received an honorable discharge or a general discharge under honorable conditions after the completion of service.

C.S.H.B. 418 requires such a state employee who is reemployed by a state agency after military service to be granted leave without a deduction in salary or loss of vacation time, sick leave, earned overtime credit, or state compensatory time to tend to matters relating to the employee's military service or reintegration into civilian life, including obtaining medical or mental health care and receiving employee assistance counseling. The bill caps the amount of leave granted for such purposes at 15 days and requires the leave to be used before the first anniversary of the date the employee is reemployed by the state agency. The bill also requires such a state employee to be granted, on each anniversary of the date the employee is reemployed, up to 10 days of leave to tend to those matters without a deduction in salary or loss of vacation time, sick leave, earned overtime credit, or state compensatory time. The bill prohibits the amount of any unused leave from being carried forward to a subsequent year. The bill authorizes the administrative head of a state agency to grant additional days of such leave as the administrative head determines appropriate for the employee.

### **EFFECTIVE DATE**

September 1, 2013.

## COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 418 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

### INTRODUCED

SECTION 1. Subchapter Z, Chapter 661, Government Code, is amended by adding Section 661.920 to read as follows:

Sec. 661.920. LEAVE FOR REEMPLOYED VETERANS.

No equivalent provision.

(a) Except as provided by Subsection (b), a state employee who is reemployed by a state agency after military service as provided by Section 431.006 or Chapter 613 may be granted leave to tend to matters relating to the employee's military service or reintegration into civilian life, including obtaining medical or mental health care and receiving employee assistance counseling.

Leave granted under this section may not exceed 15 days each fiscal year without a deduction in salary or loss of vacation time, sick leave, earned overtime credit, or state compensatory time.

No equivalent provision.

### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter Z, Chapter 661, Government Code, is amended by adding Section 661.920 to read as follows:

Sec. 661.920. LEAVE FOR REEMPLOYED VETERANS.

(a) A state employee is entitled to leave under this section if the state employee:

(1) is a member of a reserve component of the armed forces of the United States, including the National Guard;

(2) is ordered to federal active duty under Title 10, United States Code, for at least 180 days, during a period of war or during an ongoing recognized conflict for which a campaign medal is authorized, or to support stability operations after the end of a war or conflict; and

(3) received an honorable discharge or a general discharge under honorable conditions after the completion of the service described by Subdivision (2).

(b) A state employee described by Subsection (a) who is reemployed by a state agency after military service shall be granted leave without a deduction in salary or loss of vacation time, sick leave, earned overtime credit, or state compensatory time to tend to matters relating to the employee's military service or reintegration into civilian life, including obtaining medical or mental health care and receiving employee assistance counseling.

Leave under this subsection may not exceed 15 days and must be used before the first anniversary of the date the employee is reemployed by the state agency.

(c) On each anniversary of the date a state employee described by Subsection (a) is reemployed by a state agency, the employee

shall be granted leave without a deduction in salary or loss of vacation time, sick leave, earned overtime credit, or state compensatory time to tend to matters relating to the employee's military service or reintegration into civilian life, including obtaining medical or mental health care and receiving employee assistance counseling. Leave under this subsection may not exceed 10 days. The amount of any unused leave under this subsection may not be carried forward to a subsequent year.

(b) The administrative head of a state agency may annually grant additional days of leave described by Subsection (a) as the administrative head determines appropriate for the employee.

SECTION 2. This Act takes effect September 1, 2013.

(d) The administrative head of a state agency may grant additional days of leave described by Subsections (b) and (c) as the administrative head determines appropriate for the employee.

SECTION 2. Same as introduced version.