

## **BILL ANALYSIS**

C.S.S.B. 442  
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Defense & Veterans' Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties report that some veterans who are state employees are using their earned leave or compensatory time to tend to reintegration issues, such as medical or mental health care and employee assistance counseling, after returning from their deployment. The Texas Coordinating Council for Veterans Services responded to this issue by recommending that the state grant additional days of leave for certain reserve or national guardsmen returning to state employment. C.S.S.B. 442 seeks to implement this recommendation by providing for additional leave for certain veterans returning to state employment.

### **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.S.B. 442 amends the Government Code to entitle a state employee employed in the executive or judicial branch of state government to leave if the state employee was a member of a reserve component of the U.S. military, including the National Guard, 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. The bill 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 leave granted under its provisions 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 authorizes the administrative head of a state agency to grant additional days of leave without a deduction in salary or loss of vacation time, sick leave, earned overtime credit, or state compensatory time as the administrative head determines appropriate for the employee.

### **EFFECTIVE DATE**

September 1, 2013.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.S.B. 442 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

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 state employee who is reemployed by a state agency after military service as provided by Section 431.006 or Chapter 613 shall 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 under this section may not exceed 15 days without a deduction in salary or loss of vacation time, sick leave, earned overtime credit, or state compensatory time. Leave under this section may not be used after the first anniversary of the date the employee is reemployed by the state agency.

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

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 was a member of a reserve component of the armed forces of the United States, including the National Guard, 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.

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

SECTION 2. Same as engrossed version.