

## **BILL ANALYSIS**

C.S.H.B. 1790  
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Urban Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties note that injured fire fighters or police officers on leave may have another fire fighter or police officer voluntarily do their work until the person on leave returns to duty as a way to reduce overtime and scheduling conflicts for fire and police departments. The parties assert that the law needs clarification in regard to whether a fire fighter or a police officer can voluntarily do the work of any injured fire fighter or police officer on leave regardless of whether the injury is related to the person's line of duty. C.S.H.B. 1790 seeks to provide such clarification.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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. 1790 amends the Local Government Code to prohibit a municipality from requiring a fire fighter or police officer who is temporarily disabled by an injury that is not related to the person's line of duty to use sick leave, vacation time, or other accumulated time, or from placing the fire fighter or police officer on a temporary leave, if another fire fighter or police officer volunteers to do the work of the injured fire fighter or police officer until the person returns to duty.

### **EFFECTIVE DATE**

September 1, 2015.

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

While C.S.H.B. 1790 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### **INTRODUCED**

SECTION 1. Section 143.073, Local Government Code, is amended by amending

#### **HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Section 143.073, Local Government Code, is amended by amending

84R 25205

15.112.397

Substitute Document Number: 84R 16551

Subsection (e) and adding Subsection (f) to read as follows:

(e) After recovery from a temporary disability, a fire fighter or police officer shall be reinstated at the same rank and with the same seniority the person had before going on temporary leave.

(f) Another fire fighter or police officer may voluntarily do the work of a ~~an~~ ~~injured~~ fire fighter or police officer who is on leave under this section until the person returns to duty.

SECTION 2. This Act takes effect September 1, 2015.

Subsection (e) and adding Subsection (f) to read as follows:

(e) After recovery from a temporary disability, a fire fighter or police officer shall be reinstated at the same rank and with the same seniority the person had before going on temporary leave.

(f) Notwithstanding Subsection (d), a municipality may not require a fire fighter or police officer who is temporarily disabled by an injury that is not related to the person's line of duty to use sick leave, vacation time, or other accumulated time, or place the fire fighter or police officer on a temporary leave, if another ~~Another~~ fire fighter or police officer volunteers to ~~may voluntarily~~ do the work of the ~~an~~ injured fire fighter or police officer until the person returns to duty.

SECTION 2. Same as introduced version.