

## **BILL ANALYSIS**

C.S.H.B. 3015  
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Urban Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties note that firefighters are subject to many hazards that could lead to serious illness resulting in a depletion of the firefighter's sick leave or vacation time before health is restored. C.S.H.B. 3015 seeks to address this issue by providing for vacation leave time accounts for firefighters.

### **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. 3015 amends the Local Government Code to require a municipality to establish and maintain a vacation leave time account for each firefighter employee organization. The bill authorizes a firefighter who is a member of an employee organization to donate any amount of accumulated vacation time to the vacation leave time account of the employee organization to which the firefighter belongs. The bill requires a firefighter who wishes to donate vacation time to the account to authorize the donation in writing on a form provided by the employee organization and approved by the municipality. The bill authorizes only a firefighter who is a member of an employee organization to use the donated vacation time and authorizes a firefighter to use the donated vacation time without receiving a reduction in salary and without reimbursing the municipality. The bill requires a request to use the vacation time in the vacation leave time account to be in writing and be submitted to the municipality by the president or the equivalent officer of the employee organization or by that officer's designee at least three days before the date for which the vacation time is requested. The bill requires the fire chief or the fire chief's designee, before vacation time in an employee organization's vacation leave time account may be used by a firefighter, to approve the request to use the vacation time. The bill requires the fire chief or the fire chief's designee to approve a timely request unless the operational needs of the fire department justify that the request be denied. The bill requires the municipality to account for the vacation time donated to each vacation leave time account and used from each account. The bill requires the municipality to credit and debit the applicable vacation leave time account on an hour-for-hour basis regardless of the cash value of the vacation time donated or used.

### **EFFECTIVE DATE**

September 1, 2017.

## COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3015 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. Subchapter A, Chapter 142, Local Government Code, is amended by adding Section 142.015 to read as follows:

Sec. 142.015. VACATION LEAVE TIME ACCOUNT FOR FIREFIGHTERS. (a) A municipality shall establish and maintain a vacation leave time account for each firefighter employee organization.

(b) A firefighter who is a member of an employee organization may donate any amount of accumulated vacation time to the vacation leave time account of the employee organization to which the firefighter belongs.

(c) A firefighter who wishes to donate time to the account established under this section must authorize the donation in writing on a form provided by the employee organization and approved by the municipality.

(d) Only a firefighter who is a member of an employee organization may use the vacation time donated to the account of the employee organization. A firefighter may use the time donated under this section without receiving a reduction in salary and without reimbursing the municipality.

(e) A request to use the vacation time in an employee organization's vacation leave time account must be in writing and be submitted to the municipality by the president or the equivalent officer of the employee organization or by that officer's designee.

### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter A, Chapter 142, Local Government Code, is amended by adding Section 142.015 to read as follows:

Sec. 142.015. VACATION LEAVE TIME ACCOUNT FOR FIREFIGHTERS. (a) A municipality shall establish and maintain a vacation leave time account for each firefighter employee organization.

(b) A firefighter who is a member of an employee organization may donate any amount of accumulated vacation time to the vacation leave time account of the employee organization to which the firefighter belongs.

(c) A firefighter who wishes to donate vacation time to the account established under this section must authorize the donation in writing on a form provided by the employee organization and approved by the municipality.

(d) Only a firefighter who is a member of an employee organization may use the vacation time donated to the account of the employee organization. A firefighter may use the vacation time donated under this section without receiving a reduction in salary and without reimbursing the municipality.

(e) A request to use the vacation time in an employee organization's vacation leave time account must be:

(1) in writing; and

(2) submitted to the municipality:

(A) by the president or the equivalent officer of the employee organization or by that officer's designee; and

(B) at least three days before the date for which the vacation time is requested.

(f) Before vacation time in an employee organization's vacation leave time account may be used by a firefighter, the fire chief, or the fire chief's designee, must approve the request to use the vacation time. The fire chief or the fire chief's designee shall approve a timely request unless the operational needs of the fire department

(f) The municipality shall account for the time donated to each vacation leave time account and used from each account. The municipality shall credit and debit the applicable vacation leave time account on an hour-for-hour basis regardless of the cash value of the time donated or used.

SECTION 2. This Act takes effect September 1, 2017.

justify that the request be denied.

(g) The municipality shall account for the vacation time donated to each vacation leave time account and used from each account. The municipality shall credit and debit the applicable vacation leave time account on an hour-for-hour basis regardless of the cash value of the vacation time donated or used.

SECTION 2. Same as introduced version.