

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1785
By: Gallegos
State Affairs
5/10/1999
Committee Report (Substituted)

DIGEST

Currently, the state does not maintain a benefit fund for certain disabled peace officers or fire fighters. C.S.S.B. 1785 establishes a fund that offers a one-time payment of \$75,000 to certain permanently incapacitated or deceased peace officers and fire fighters.

PURPOSE

As proposed, C.S.S.B. 1785 establishes a supplemental fund for certain disabled or deceased peace officers and fire fighters.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 614, Government Code, by adding Subchapter F, as follows:

SUBCHAPTER F. SUPPLEMENTAL ONE-TIME PAYMENT FOR CERTAIN DISABLED PEACE OFFICERS AND FIRE FIGHTERS OR THEIR ESTATES

Sec. 614.081. DEFINITIONS. Defines “board,” “fire fighter,” and “peace officer.”

Sec. 614.082. PEACE OFFICER AND FIRE FIGHTER SUPPLEMENTAL PAYMENT ACCOUNT. Establishes that the peace officer and fire fighter supplemental payment account (supplemental account) is an account in the general revenue fund. Provides that the supplemental account consists of certain revenues.

Sec. 614.083. ELIGIBILITY FOR PAYMENT. Entitles certain persons, including a peace officer and a fire fighter, to a one-time payment of \$75,000 from the funds, if the persons are permanently incapacitated for work in certain performance of his or her work or volunteer services related to law enforcement or fire fighting.

Sec. 614.084. PROOF OF CLAIM. Authorizes a peace officer, fire fighters, or the person’s estate to furnish the board of trustees of the Employees Retirement System of Texas (board) certain evidence for a claim.

Sec. 614.085. AWARD OF PAYMENT. Requires the board to notify the comptroller of the board’s determination that a claim under this subchapter is valid and justifies payment. Requires the comptroller to issue a warrant to the claimant from the fund. Payment to a peace officer or fire fighter is payable as soon as possible after the board notifies the comptroller.

SECTION 2. Makes application of this Act conditional on appropriations from H.B. 1 (General Appropriations Act), Acts of the 76th Legislature, Regular Session, 1999; otherwise, this Act has no effect.

SECTION 3. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

Relating clause.

Changes clause from payment for certain peace officers and fire fighters disabled in the line of duty to payment for certain disabled or deceased peace officers and fire fighters.

SECTION 1.

Amends the heading to Subchapter F, Government Code.

Amends proposed Sections 614.083, 614.084, and 614.085, Government Code, to include volunteer firefighter or peace officer activities in the one-time payment entitlement and in the information that must be reported to the board, and to include a firefighter's or peace officer's estate as an entity which may apply and receive the benefits.

SECTION 2.

Adds a conditional provision to the Act regarding funding from the General Appropriations Act.

Redesignates SECTION 2 as SECTION 3.