

BILL ANALYSIS

Senate Research Center
77R176 JRD-D

S.B. 255
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State Affairs
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DIGEST AND PURPOSE

Under current law, injured officers are only able to use sick leave or compensatory time if they are injured in the line of duty, which may not cover the entire rehabilitation and recovery period. As proposed, S.B. 255 allows these officers to use up to one year of injury leave for injuries sustained in the performance of duties without a reduction in pay. This bill also entitles certain peace officers, custodial officers, and investigatory employees to injury leave without a deduction in salary and without being required to use compensatory or other leave for certain injuries. S.B. 255 provides that for a person to be eligible for injury leave, certain requirements must be met, and authorizes a person to be simultaneously on injury leave and receive workers' compensation benefits but not disability retirement benefits.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 661Z, Government Code, by adding Section 661.915, as follows:

Sec. 661.915. INJURY LEAVE FOR CERTAIN STATE EMPLOYEES. (a) Defines "custodial officer" and "peace officer."

(b) Entitles a person appointed or employed as a peace officer by a state agency, a custodial officer of the Board of Pardons and Paroles or the Texas Department of Criminal Justice, or an investigatory employee of the Department of Protective and Regulatory Services to injury leave without a deduction in salary and without being required to use compensatory time off accrued under Chapter 659 or any other type of leave allowable under this chapter. Sets forth requirements for the circumstances surrounding an injury that entitles a person to injury leave.

(c) Requires a person, for eligibility under this section, to submit to the person's employer evidence of a medical examination and a recommendation for a specific period of leave from a physician licensed to practice in this state.

(d) Provides that the maximum amount of leave available under this section for all injuries occurring at one time is one year.

(e) Authorizes a person to simultaneously be on injury leave under this section and receive workers' compensation benefits under Title 5, Labor Code (Workers' Compensation), but prohibits eligibility for disability retirement benefits under Chapter 814, Government Code, during the leave period.

SECTION 2. Effective date: September 1, 2001.

Makes application of this Act prospective.