

BILL ANALYSIS

Senate Research Center
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H.B. 445
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Veteran Affairs & Military Installations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties explain that certain public officers and employees who are also members of the Texas military forces, a reserve component of the armed forces, or members of a state or federally authorized urban search and rescue team are given paid leave each fiscal year to fulfill annual training requirements or to engage in certain duties. In some instances unused days of such paid leave are available for use by the officer or employee. Confusion relating to such paid leave is common because an employer is not expressly required to provide written notice of accumulated paid leave days to an eligible employee.

H.B. 445 seeks to ensure that these employees receive written notice regarding available paid leave. The bill requires the state, a municipality, a county, or another political subdivision of the state to provide to a person who is an officer or employee of such an entity and who is a member of the Texas military forces, a reserve component of the armed forces, or a member of a state or federally authorized urban search and rescue team a statement upon employment that contains the number of workdays for which the officer or employee may claim paid leave for certain authorized or ordered training or duty in that fiscal year and, if the statement is provided to an officer or employee of the state, the net balance of unused accumulated leave designated for such training or duty for that fiscal year that the officer or employee is entitled to carry forward to the next fiscal year and the net balance of all unused accumulated leave designated for such training or duty to which the officer or employee is entitled.

H.B. 445 amends current law relating to providing notice of the availability of paid leave for military service to public officers and employees.

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 Section 437.202, Government Code, by adding Subsections (e) and (f), as follows:

(e) Requires this state, a municipality, a county, or another political subdivision of this state, to provide written notice of the number of workdays of paid leave to which an officer or employee described by Subsection (a) (relating to the paid leave of a person who is an officer or employee of this state, a municipality, a county, or another political subdivision of this state and who is a member of the Texas military forces, a reserve component of the armed forces, or a member of a state or federally authorized urban search and rescue team) is entitled each fiscal year under Subsection (a) and, if applicable, the number of workdays of paid leave to which an officer or employee described by Subsection (a) is entitled to carry forward each fiscal year under Subsection (b) (entitling an officer or employee of this state to carry forward from one fiscal year to the next the net balance of unused accumulated leave under Subsection (a) that does not exceed 45 workdays):

(1) on employment, in the case of an employee; or

(2) as soon as practicable after appointment or election, in the case of an officer.

(f) Requires this state, a municipality, a county, or another political subdivision of this state, to, on the request of an officer or employee described by Subsection (a), to provide to that officer or employee a statement that contains:

(1) the number of workdays for which the officer or employee claimed paid leave under Subsection (a) in that fiscal year; and

(2) if the statement is provided to an officer or employee of this state:

(A) the net balance of unused accumulated leave under Subsection (a) for that fiscal year that the officer or employee is entitled to carry forward to the next fiscal year; and

(B) the net balance of all unused accumulated leave under this section to which the officer or employee is entitled.

SECTION 2. Effective date: September 1, 2015.