

AN ACT

relating to business leave time accounts for police officer employee organizations in certain municipalities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 142, Local Government Code, is amended by adding Section 142.013 to read as follows:

Sec. 142.013. BUSINESS LEAVE TIME ACCOUNT FOR POLICE OFFICERS IN CERTAIN MUNICIPALITIES. (a) This section applies only to police officers employed by a municipality with a population of one million or more that has not adopted Chapter 174 and to which Section 143.1261 does not apply.

(b) In this section:

(1) "Business leave" means leave taken for the purpose of attending to the business of an employee organization.

(2) "Employee organization" includes:

(A) the Texas Peace Officers Association;

(B) the Dallas Police Association;

(C) the Dallas Fraternal Order of Police; and

(D) the Latino Peace Officers Association.

(c) A police officer may donate not more than two hours for each month of accumulated vacation or compensatory time to the business leave time account of an employee organization. The municipality shall establish and maintain a business leave time account for each employee organization.

1        (d) The police officer must authorize the donation in  
2 writing on a form provided by the employee organization and  
3 approved by the municipality. After receiving the signed  
4 authorization on an approved form, the municipality shall transfer  
5 donated time to the account monthly until the municipality receives  
6 the police officer's written revocation of the authorization.

7        (e) Only a police officer who is a member of an employee  
8 organization may use for business leave purposes the time donated  
9 to the account of that employee organization. A police officer may  
10 use for business leave purposes the time donated under this section  
11 without receiving a reduction in salary and without reimbursing the  
12 municipality.

13        (f) A request to use for business leave purposes the time in  
14 an employee organization's time account must be in writing and  
15 submitted to the municipality by the president or the equivalent  
16 officer of the employee organization or by that officer's designee.

17        (g) The municipality shall grant a request for business  
18 leave that complies with Subsection (f) unless:

19                (1) denial of the request is necessary because of an  
20 emergency; or

21                (2) a grant of the request will result in having an  
22 insufficient number of police officers to carry out the normal  
23 functions of the municipality.

24        (h) The municipality shall account for the time donated to  
25 the account and used from the account. The municipality shall  
26 credit and debit the account on an hour-for-hour basis regardless  
27 of the cash value of the time donated or used.

1           (i) An employee organization may not use for business leave  
2 purposes more than 4,000 hours from its business leave time account  
3 under this section in a calendar year. This subsection does not  
4 prevent an employee organization from accumulating more than 4,000  
5 hours, but only addresses the total number of donated hours that an  
6 employee organization may use in any calendar year.

7           (j) The use of business leave by a police officer under this  
8 section is not a break in service for any purpose and is treated as  
9 any other paid leave.

10           SECTION 2. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2003.

David Swihart

President of the Senate

Jim Cusick

Speaker of the House

I certify that H.B. No. 622 was passed by the House on May 10, 2003, by the following vote: Yeas 138, Nays 0, 2 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 622 was passed by the Senate on May 27, 2003, by the following vote: Yeas 30, Nays 1.

Lacey Saw

Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Peary  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
10:30 pm. O'CLOCK

Jean Shea  
JUN 20 2003  
Secretary of State