

CHAPTER 154

S.B. No. 689

An Act relating to legislative leave for fire fighters and police officers in certain cities; adding Section 22b to Chapter 325, Acts of the 50th Legislature, Regular Session, 1947 (Article 1269m, Vernon's Texas Civil Statutes).

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 325, Acts of the 50th Legislature, Regular Session, 1947 (Article 1269m, Vernon's Texas Civil Statutes), is amended by adding Section 22b to read as follows:

"Section 22b. LEGISLATIVE LEAVE. (a) In any city having a population of 1,500,000 or more according to the most recent federal census, a fire fighter or police officer is entitled to legislative leave without pay to appear before or to petition the state legislature during any regular or special legislative session as prescribed by this section.

"(b) To be eligible for legislative leave, a fire fighter or police officer must submit a written application to the city not later than the 60th day before the convening of the legislative session that the fire fighter or police officer intends to appear before or to petition. The application must include provisions stating the length of the requested leave and a statement that the fire fighter or police officer is willing to reimburse the city for any wages, pension, or other costs the city will incur as a result of the leave. The length of the requested leave may not exceed the length of the legislative session.

"(c) Not later than the 30th day after the date on which the city receives the application, the city shall notify the fire fighter or police officer in writing of the actual amount of money required to offset the costs the city will incur. The city may require the fire fighter or police officer to post the money before granting the leave.

"(d) The city shall grant legislative leave to a fire fighter or police officer who submits an application as prescribed by this section and who complies with any requirement relating to payment of costs unless an emergency exists or unless granting the leave will result in an insufficient number of employees to carry out the normal functions of the fire or police department.

"(e) If the head of the fire or police department determines that granting a legislative leave will result in an insufficient number of employees to carry out the normal functions of the department, another fire fighter or police officer may volunteer to work in the applicant's place on an exchange of time basis as long as no overtime results. If a fire fighter or police officer volunteers to work in the the applicant's place and no overtime will result, the head of the department shall allow the volunteer to work for the applicant. If the volunteer work will solve the problem of having an insufficient number of employees, the city shall grant the legislative leave.

"(f) Legislative leave may not be construed as a break in service for any purpose, including the determination of seniority, promotions, sick leave, vacations, or retirement."

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on March 26, 1985, by a viva-voce vote; passed the House on May 13, 1985, by a non-record vote.

Approved: May 24, 1985

Effective: August 26, 1985