

BILL ANALYSIS

Senate Research Center

S.B. 1477
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Veteran Affairs & Military Installations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, most state and local government employees are entitled to differential pay (salary provided to equalize differing wage rates) when performing active duty training or service with the state or federal military forces. Employees of emergency services districts are eligible for differential pay, but the term is limited to 15 days. This creates a problem for emergency services district employees who are assigned to active military duty, as they must sacrifice needed wages and benefits in order to serve. S.B. 1477 would authorize the governing board of emergency services districts formed under Chapter 775 (Emergency Services Districts), Health and Safety Code, to vote to provide differential pay and benefits for the entirety of an employee's active military duty term.

As proposed, S.B. 1477 amends current law relating to differential pay and benefits for certain employees of emergency services districts who are members of the military.

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 Subchapter A, Chapter 431, Government Code, by adding Section 431.019, as follows:

Sec. 431.019. DIFFERENTIAL PAY AND BENEFITS FOR EMPLOYEES OF EMERGENCY SERVICES DISTRICTS. (a) Authorizes, except as provided by Subsection (b), a person who is an officer or employee of an emergency services district and who is a member of the state military forces or a reserve component of the state or federal armed forces to be provided differential pay, provided that the governing body of the district, in its sole discretion, votes to provide such differential pay and the employee's military pay is less than the employee's gross pay from the emergency services district, through a policy covering all similarly situated employees. Prohibits the combination of differential pay and military pay from exceeding the employee's actual gross pay from the emergency services district.

(b) Provides that for purposes of Subsection (a), military pay does not include money the employee receives for service in a combat zone, as hardship pay, or for being separated from the employee's family.

(c) Requires that the differential pay provided by Subsection (a) begin when the benefits allowed under Section 431.005 (Leave of Absence for Public Officers and Employees) are exhausted and continue until the employee's active military duty terminates.

(d) Authorizes, in addition to the differential pay provided by Subsection (a), an employee of an emergency services district who is a member of the state military forces or a reserve component of the state or federal armed forces to be provided an extension of the employee's and the employee's dependents' insurance benefits

provided by the political subdivision if the governing body of the district votes to provide such benefit. Requires that the time period for extension of these insurance benefits to begin when the benefits allowed under Section 431.005 are exhausted and continue until the employee's active military duty terminates.

SECTION 2. Effective date: September 1, 2011.