

1-1 By: Hinojosa S.B. No. 1576
1-2 (In the Senate - Filed March 12, 2015; March 23, 2015, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 23, 2015, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 23, 2015,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Whitmire	X		
1-10	Huffman	X		
1-11	Burton	X		
1-12	Creighton	X		
1-13	Hinojosa	X		
1-14	Menéndez	X		
1-15	Perry	X		

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1576 By: Whitmire

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the compensatory time and overtime pay for commissioned
1-20 officers of the Department of Public Safety.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. The heading to Section 411.016, Government Code,
1-23 is amended to read as follows:

1-24 Sec. 411.016. COMPENSATORY TIME; OVERTIME [~~SUPPLEMENTAL~~]
1-25 PAY.

1-26 SECTION 2. Section 411.016, Government Code, is amended by
1-27 amending Subsections (b), (c), and (e) and adding Subsections (b-1)
1-28 and (f) to read as follows:

1-29 (b) If, during a 24-hour period [~~calendar week~~], the total
1-30 number of hours worked by a commissioned officer equals [~~plus the~~
1-31 ~~number of hours of leave taken for which the officer is entitled to~~
1-32 ~~compensation, including approved sick leave, vacation, holiday,~~
1-33 ~~holiday compensatory time, emergency leave, administrative leave,~~
1-34 ~~and jury duty, equal~~] more than eight [40] hours, the excess is
1-35 overtime[. For each calendar month, the overtime for each week
1-36 ending during that month shall be totaled. If the total overtime
1-37 for the month exceeds eight hours, the officer may receive, in
1-38 addition to the officer's regular monthly salary, a supplement
1-39 determined as follows:

1-40 [(1) a commissioned officer who accumulates more than
1-41 eight hours but less than 16 hours of overtime in a calendar month
1-42 may receive five percent of the officer's regular monthly salary;

1-43 [(2) a commissioned officer who accumulated 16 or more
1-44 hours but less than 32 hours of overtime in a calendar month may
1-45 receive 10 percent of the officer's regular monthly salary; and

1-46 [(3) a commissioned officer who accumulated 32 or more
1-47 hours of overtime in a calendar month may receive 15 percent of the
1-48 officer's regular monthly salary].

1-49 (b-1) If, during a work week, the total number of hours
1-50 worked by a commissioned officer equals more than 40 hours, the
1-51 excess is overtime.

1-52 (c) [~~The formula prescribed by Subsection (b) is the~~
1-53 ~~exclusive method of computing state compensation for overtime~~
1-54 ~~entitlements.] This section applies only to the computation of
1-55 overtime entitlements and does not apply to the method of
1-56 compensating a commissioned officer for working on regularly
1-57 scheduled state holidays.~~

1-58 (e) The department may compensate an officer commissioned
1-59 by the department for the overtime earned by the officer by:

1-60 (1) allowing or requiring the officer to take

2-1 ~~compensatory leave at the rate of 1-1/2 hours of leave for each hour~~
 2-2 ~~of overtime earned; or~~
 2-3 ~~(2) paying the officer for the overtime hours earned~~
 2-4 ~~at the rate equal to 1-1/2 times the officer's regular hourly pay~~
 2-5 ~~rate [If the funds appropriated to the department to provide~~
 2-6 ~~supplemental pay are insufficient to pay all earned overtime~~
 2-7 ~~entitlements, the director may provide for compensatory time to be~~
 2-8 ~~taken during the biennium in which the entitlements are earned].~~
 2-9 ~~(f) If a conflict exists between this section and Section~~
 2-10 ~~659.015, this section controls.~~
 2-11 SECTION 3. This Act takes effect September 1, 2015.

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