

1-1 By: Hinojosa S.B. No. 297
 1-2 (In the Senate - Filed December 14, 2016; January 30, 2017,
 1-3 read first time and referred to Committee on Criminal Justice;
 1-4 April 26, 2017, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; April 26, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			

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
 1-61 compensatory leave at the rate of 1-1/2 hours of leave for each hour

2-1 of overtime earned; or
2-2 (2) paying the officer for the overtime hours earned
2-3 at the rate equal to 1-1/2 times the officer's regular hourly pay
2-4 rate [If the funds appropriated to the department to provide
2-5 supplemental pay are insufficient to pay all earned overtime
2-6 entitlements, the director may provide for compensatory time to be
2-7 taken during the biennium in which the entitlements are earned].
2-8 (f) If a conflict exists between this section and Section
2-9 659.015, this section controls.
2-10 SECTION 3. This Act takes effect September 1, 2017.

2-11 * * * * *