

BILL ANALYSIS

C.S.H.B. 1087
By: Olivo
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, Section 152.074 of the Local Government Code requires commissioners courts in counties with a population of 150,000 or more to pay each commissioned deputy of the sheriff's department \$5 a month for each year of service up to and including 25 years. Longevity pay is not currently paid to detention officers (county jailers). Many sheriffs' departments allow their detention officers to obtain commissions as deputies, but many of the detention officers elect not to become deputies. Because of the way the law is written, those detention officers who are commissioned as deputies receive longevity pay, while those who are not commissioned do not receive the pay. This bill would allow commissioners court to pay detention officers (county jailers) the same longevity pay that is paid to commissioned deputies.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends the heading for Section 152.074, Local Government Code.

SECTION 2. Amends Section 152.074 of the Local Government Code by adding subsection (a-1) to provide that the commissioners court in a county with a population of 150,000 or more may pay longevity pay to county jailers in the amount of not less than \$5 a month for each year of service up to and including 25 years. The bill would also amend Section 152.074 by adding subsection (c) to provide that the term "county jailer" has the meaning assigned by Section 1701.001, Occupations Code.

EFFECTIVE DATE

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

COMPARISON OF ORIGINAL TO SUBSTITUTE

While HB 1087 would have required a commissioners court of a county with a population over 150,000 to provide longevity pay to county jailers, the committee substitute would merely give these same commissioners courts the option to do so.