

BILL ANALYSIS

S.B. 255
By: Averitt
Law Enforcement
Committee Report (Unamended)

BACKGROUND AND PURPOSE

State employees who work state or federal holidays are entitled to compensatory time off during the 12 months after the holiday, but not if the holiday falls on a Saturday or Sunday. In 2001, the 77th Legislature authorized Department of Public Safety (DPS) troopers who often must work holidays such as Christmas and the Fourth of July to receive one hour of compensatory time off for each hour worked on a state or federal holiday if the holiday falls on a Saturday or Sunday. However, DPS employees who perform communications or dispatch services related to traffic law enforcement are not eligible to receive the same compensatory time off. Senate Bill 255 entitles a state employee who is employed by DPS to perform communications or dispatch services related to traffic law enforcement to receive one hour of compensatory time off for each hour worked on a state or federal holiday if the holiday falls on a Saturday or Sunday.

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

Senate Bill 255 amends Section 662.005(b), Government Code, by authorizing that, except as provided by Section 662.010 (no holiday pay for one who begins work the day after a holiday or leaves their position the day before a holiday), and notwithstanding Section 659.015 (subjecting overtime pay to the Fair Labor Standards Act) or another law, a state employee who is employed by the Department of Public Safety to perform communications or dispatch services related to traffic law enforcement and who is required to work on a national or state holiday that falls on a Saturday or Sunday is entitled to compensatory time off at the rate of one hour for each hour worked on the holiday.

EFFECTIVE DATE

This Act takes effect September 1, 2003.