

By: Kolkhorst

H.B. No. 3199

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the compensation of certain state law enforcement  
3 officers.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter B, Chapter 659, Government Code, is  
6 amended by adding Section 659.024 to read as follows:

7 Sec. 659.024. COMPENSATION OF CERTAIN STATE LAW ENFORCEMENT  
8 OFFICERS. (a) In this section:

9 (1) "Local law enforcement department" means any law  
10 enforcement department or office operated by a county or  
11 municipality.

12 (2) "Nonsupervisory local law enforcement officer"  
13 means a municipal police patrol officer or county deputy sheriff  
14 who does not supervise any other municipal police patrol officer or  
15 county deputy sheriff.

16 (3) "State law enforcement officer" means a law  
17 enforcement officer who holds a position classified under the state  
18 employee classification system and compensated under Salary  
19 Schedule C of the General Appropriations Act.

20 (4) "Total compensation" means base salary plus  
21 bilingual personnel pay, shift differential pay, holiday pay,  
22 longevity pay, uniform allowance, educational incentive pay, and  
23 certification pay for police officers who meet the requirements for  
24 certification set by the Commission on Law Enforcement Officer

1 Standards and Education.

2 (b) Before September 1 of each even-numbered year, the state  
3 auditor shall conduct a survey of local law enforcement departments  
4 that employ more than 1,000 commissioned law enforcement officers  
5 to gather information about the total compensation provided by the  
6 departments to local law enforcement officers.

7 (c) Before January 1 of each odd-numbered year, the state  
8 auditor shall analyze the findings of the most recent survey  
9 conducted in accordance with Subsection (b) and shall submit to the  
10 legislature a report on the findings of the survey and analysis.  
11 The report must identify the five local law enforcement departments  
12 that provide the highest average total compensation to  
13 nonsupervisory local law enforcement officers who have been  
14 employed by the local law enforcement departments for at least 30  
15 years.

16 (d) The state auditor shall employ technically and  
17 professionally sound methodologies to conduct the survey and  
18 analysis required by this section.

19 (e) Local law enforcement departments shall cooperate with  
20 the state auditor by providing timely and accurate information  
21 requested by the state auditor in accordance with a survey under  
22 this section.

23 (f) The findings of a survey conducted in accordance with  
24 Subsection (b) are not appealable.

25 (g) To improve the ability of the state to recruit and  
26 retain qualified state law enforcement officers, the legislature  
27 shall, as necessary, based on a report submitted to the legislature

1 in accordance with this section, increase the salaries of state law  
2 enforcement officers by amounts that are determined by:

3 (1) taking the difference between:

4 (A) the average total compensation provided to  
5 nonsupervisory local law enforcement officers who have been  
6 employed for at least 30 years by the five highest-compensating  
7 local law enforcement departments identified in the report under  
8 this section; and

9 (B) the average total compensation provided to  
10 similarly ranked state law enforcement officers who have been  
11 employed by state law enforcement departments for at least 30 years  
12 and who do not supervise other officers; and

13 (2) adding to the amount determined under Subdivision  
14 (1) a dollar amount equal to five percent of the amount determined  
15 under Subdivision (1).

16 (h) The legislature may not reduce the salary allocated for  
17 a state law enforcement officer position solely in response to a  
18 report under this section.

19 SECTION 2. The state auditor shall conduct the first survey  
20 in accordance with Section 659.024, Government Code, as added by  
21 this Act, before September 1, 2004, and shall provide to the  
22 legislature the first report in accordance with that section before  
23 January 1, 2005.

24 SECTION 3. If the legislature increases the salary paid to a  
25 state law enforcement officer under Section 659.024, Government  
26 Code, as added by this Act, the salary increase shall take effect on  
27 September 1 of the next biennium.

1           SECTION 4. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2003.