

By: Gallego

H.B. No. 3268

A BILL TO BE ENTITLED

AN ACT

relating to certain gratuities accepted by employees of the Texas Parks and Wildlife Department.

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

SECTION 1. Amend the Texas Penal Code by adding the following section:

Section 36.11 CERTAIN GRATUITIES PERMITTED (a) Nothing in this Chapter shall prohibit an employee of the State Parks Division of the Texas Parks and Wildlife Department from accepting a gratuity if:

(1) the employee serves food and beverages as a primary job duty in a restaurant, cafeteria or other food service establishment within a State Park owned and operated by the Texas Parks and Wildlife Department;

(2) the gratuity is offered by a customer of the restaurant, cafeteria or other food service establishment in appreciation for the service of food or beverages;

(3) the employee served food or beverages to the customer offering the gratuity;

(4) the employee has been designated by the Texas Parks and Wildlife Department as being authorized to receive a gratuity; and,

(5) the employee reports the gratuity in accordance with requirements established by the Texas Parks and Wildlife

1 Department.

2 (b) Nothing in this Chapter shall prohibit the offer of a
3 gratuity if the acceptance of the gratuity is not prohibited by this
4 section.

5 Section 2. This Act takes effect September 1, 2003.