

By: Williams

S.B. No. 1114

A BILL TO BE ENTITLED

1 AN ACT

2 relating to secondary employment by officers commissioned by the
3 Department of Public Safety.

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

5 SECTION 1. Section 411.0077, Government Code, is amended by
6 amending Subsections (b) and (c) and adding Subsections (b-1) and
7 (d) to read as follows:

8 (b) The department shall adopt reasonable guidelines
9 relating to acceptable off-duty employment. The guidelines shall be
10 uniformly applied to all supervisory and nonsupervisory
11 commissioned officers.

12 (b-1) If the department denies approval of a commissioned
13 officer's secondary employment or proposed secondary employment,
14 the director or the director's designee must promptly notify the
15 officer in writing of the specific guideline adopted under
16 Subsection (b) on which the department's decision is based. The
17 notice must explain why the secondary employment or proposed
18 secondary employment is prohibited by the referenced guideline.

19 (c) If a commissioned [~~an~~] officer is engaged in off-duty
20 employment that the officer believes, in good faith, is not
21 prohibited by a specific guideline adopted under Subsection (b),
22 the officer is authorized to engage in the off-duty employment
23 until the director or the director's [~~his~~] designee informs the
24 officer in writing that the employment is not acceptable.

1 (d) The department may not deny approval of an officer's
2 secondary employment or proposed secondary employment, or adopt a
3 guideline under Subsection (b) allowing the department to deny
4 approval of an officer's secondary employment or proposed secondary
5 employment, solely in response to official disciplinary action
6 taken against the officer.

7 SECTION 2. This Act takes effect September 1, 2003, and
8 applies to any decision made by the Department of Public Safety on
9 or after the effective date of this Act with respect to whether a
10 commissioned officer of the department is authorized to engage in
11 off-duty employment.