

1-1 By: Williams S.B. No. 1114
1-2 (In the Senate - Filed March 11, 2003; March 17, 2003, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 22, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 4, Nays 0; April 22, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1114 By: Williams

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to secondary employment by officers commissioned by the
1-11 Department of Public Safety of the State of Texas.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 411.0077, Government Code, is amended by
1-14 amending Subsections (b) and (c) and adding Subsection (b-1) to
1-15 read as follows:

1-16 (b) The department shall adopt reasonable guidelines
1-17 relating to acceptable off-duty employment. The guidelines shall
1-18 be uniformly applied to all supervisory and nonsupervisory
1-19 commissioned officers.

1-20 (b-1) If the department denies approval of a commissioned
1-21 officer's secondary employment or proposed secondary employment,
1-22 the director or the director's designee must promptly notify the
1-23 officer in writing of the specific guideline adopted under
1-24 Subsection (b) on which the department's decision is based. The
1-25 notice must explain why the secondary employment or proposed
1-26 secondary employment is prohibited by the referenced guideline.

1-27 (c) If a commissioned [an] officer is engaged in off-duty
1-28 employment that the officer believes, in good faith, is not
1-29 prohibited by a specific guideline adopted under Subsection (b),
1-30 the officer is authorized to engage in the off-duty employment
1-31 until the director or the director's [his] designee informs the
1-32 officer in writing that the employment is not acceptable.

1-33 SECTION 2. This Act takes effect September 1, 2003, and
1-34 applies to any decision made by the Department of Public Safety of
1-35 the State of Texas on or after the effective date of this Act with
1-36 respect to whether a commissioned officer of the department is
1-37 authorized to engage in off-duty employment.

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