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S.B. No. 1199

A BILL TO BE ENTITLED

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AN ACT

relating to the compensation of certain state law enforcement officers.

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

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

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

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

(2) "Local law enforcement officer" means a person who is a:

(A) municipal police patrol officer or a county deputy sheriff; and

(B) does not supervise a person described by Paragraph (A).

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

(4) "Total compensation" means base salary plus compensation from the following stipends: certificate pay for proficiency certificates issued by the Commission on Law

1 Enforcement Officer Standards and Education, bilingual pay,
2 educational incentives, shift differential pay, holiday pay,
3 longevity pay, and uniform allowance.

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

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

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

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

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

26 (g) To improve the ability of the state to recruit and
27 retain qualified law enforcement officers, the legislature shall,

1 as necessary, based on a report submitted to the legislature in
2 accordance with this section, increase the salaries of all state
3 law enforcement officers as defined by Subsection (a) by amounts
4 that are determined by:

5 (1) taking the difference between:

6 (A) the average total compensation paid by the
7 five highest-paying local law enforcement departments identified
8 in the report under this section to local law enforcement officers
9 as defined by Subsection (a) who have been employed by the local law
10 enforcement departments for at least 30 years; and

11 (B) the total compensation paid to state law
12 enforcement officers below the rank of sergeant who have been
13 employed by state law enforcement departments for at least 30 years
14 and who do not supervise other officers; and

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

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

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

26 SECTION 3. If the legislature increases the salary paid to a
27 state law enforcement officer under Section 659.024, Government

1 Code, as added by this Act, the salary increase shall take effect on
2 September 1 of the next biennium.

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