

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 4, 2007

TO: Honorable Warren Chisum, Chair, House Committee on Appropriations

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2241 by Kuempel (Relating to the work hours of and compensatory and overtime pay for commissioned officers of the Department of Public Safety.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code relating to the work hours of and compensatory time and overtime pay for commissioned officers of the Department of Public Safety (DPS).

The bill amends Government Code, Section 411 which states a commissioned officer working in excess of 160 hours in 28-day pay cycle is entitled to compensatory time at a rate of 1.5 hours for each excess hour worked. The bill states that a commissioned officer working in excess of 171 hours in 28-day pay cycle is entitled to overtime pay at a rate of 1.5 hours for each excess hour worked. The bill states the Department of Public Safety (DPS) shall establish a compensatory time account for each commissioned officer where the time shall be maintained and earned in an unlimited amount. The bill states the compensatory time accrued in the account can be used until the officer's resignation or termination. The bill would take effect on September 1, 2007.

DPS states they project a significant reduction in the current level of service based on the provisions of the bill because the additional compensatory time awarded would result in more accrued time off for commissioned officers who will want to take the time off. The agency states this would create a need for additional commissioned officers to fill the time off hours and maintain the current level of service. DPS states they would require an additional 79 commissioned officer FTEs per year for an estimated \$5,196,383 per year in State Highway Funds for salaries and benefits to continue the current level of service. This analysis is limited to additional overtime costs only, not adjustments in staffing levels. DPS states no significant fiscal impact to overtime costs to implement the provisions of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, CT, LG