

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Gonzalez Toureilles, Kolchorst, Hodge,  
Escobar

H.B. No. 2498

A BILL TO BE ENTITLED

AN ACT

relating to hazardous duty pay for correctional officers employed  
by the Texas Department of Criminal Justice.

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

SECTION 1. Section 659.305, Government Code, is amended by  
amending Subsections (a), (d), (e), (f), and (g) and adding  
Subsection (h) to read as follows:

(a) Except as provided by Subsections [~~Subsection~~] (b) and  
(h), the amount of a full-time state employee's hazardous duty pay  
for a particular month is the lesser of:

(1) \$10 for each 12-month period of lifetime service  
credit accrued by the employee; or

(2) \$300.

(d) For purposes of Subsections (a)(1) ~~and~~ (b)(2), and  
(h), the number of 12-month periods of lifetime service credit that  
the employee has accrued must be determined as of the last day of  
the preceding month.

(e) A state employee is considered to be a full-time state  
employee for purposes of Subsection (a) ~~or~~ (b) or (h) if the  
employee is a full-time state employee for any portion of the first  
workday of the month.

(f) The amount of a part-time state employee's hazardous  
duty pay is proportional to the amount of a full-time state  
employee's pay under Subsection (a) ~~or~~ (b) or (h).

1 (g) A state employee may not receive more than \$10 or \$12, as  
2 applicable, for each 12-month period of lifetime service credit,  
3 regardless of:

4 (1) the number of positions the employee holds; or

5 (2) the number of hours the employee works each week.

6 (h) The amount of hazardous duty pay for a particular month  
7 for a full-time correctional officer employed by the Texas  
8 Department of Criminal Justice is the lesser of:

9 (1) \$12 for each 12-month period of lifetime service  
10 credit accrued by the employee; or

11 (2) \$300.

12 SECTION 2. This Act takes effect September 1, 2007.

FLOOR AMENDMENT NO. 1

BY: Will Williams

1 Amend H.B. No. 2498 (senate committee printing) as follows:

2 (1) In SECTION 1 of the bill, strike amended Subsection (a),  
3 Section 659.305, Government Code (page 1, lines 15-20), and  
4 substitute the following:

5 (a) Except as provided by Subsections [~~Subsection~~] (b) and  
6 (h), the amount of a full-time state employee's hazardous duty pay  
7 for a particular month is [~~the lesser of:~~

8 [~~(1)~~] \$10 for each 12-month period of lifetime service  
9 credit accrued by the employee [~~or~~

10 [~~(2)~~ \$300].

11 (2) In SECTION 1 of the bill, in amended Subsection (d),  
12 Section 659.305, Government Code (page 1, line 21), strike "(a)(1),  
13 [~~and~~]" and substitute "(a), [~~(a)(1) and~~]".

14 (3) Add the following appropriately numbered SECTION to the  
15 bill and renumber subsequent SECTIONS of the bill accordingly:

16 SECTION \_\_\_\_\_. Section 659.305(c), Government Code, is  
17 repealed.

**ADOPTED**

MAY 22 2007

*Letay Spaw*  
Secretary of the Senate

**LEGISLATIVE BUDGET BOARD**

Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

May 17, 2007

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

**IN RE: HB2498** by Gonzalez Toureilles (Relating to hazardous duty pay for correctional officers employed by the Texas Department of Criminal Justice.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2498, As Engrossed: a negative impact of (\$10,049,376) through the biennium ending August 31, 2009.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$5,024,688)
2009	(\$5,024,688)
2010	(\$5,024,688)
2011	(\$5,024,688)
2012	(\$5,024,688)

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND</i> 1
2008	(\$5,024,688)
2009	(\$5,024,688)
2010	(\$5,024,688)
2011	(\$5,024,688)
2012	(\$5,024,688)

**Fiscal Analysis**

The bill would amend the Government Code by requiring the Texas Department of Criminal Justice (TDCJ) to increase hazardous duty pay for full-time correctional officers from \$10 to \$12 for each 12 month period of lifetime service credit accrued or to \$300 whichever is less.

**Methodology**

TDCJ estimates that to increase the hazardous duty pay for full-time correctional officers to \$12 for each 12 month period of lifetime service credit accrued, or to \$300 whichever is less, would cost approximately \$5.0 million each fiscal year.

**Local Government Impact**

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

**Source Agencies:** 696 Department of Criminal Justice  
**LBB Staff:** JOB, ES, GG, SDO

**LEGISLATIVE BUDGET BOARD**

Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

April 9, 2007

**TO:** Honorable Jerry Madden, Chair, House Committee on Corrections

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

**IN RE: HB2498** by Gonzalez Toureilles (Relating to hazardous duty pay for correctional officers employed by the Texas Department of Criminal Justice.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2498, As Introduced: a negative impact of (\$10,049,376) through the biennium ending August 31, 2009.

**General Revenue-Related Funds, Five-Year Impact:**

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**Source Agencies:** 696 Department of Criminal Justice  
**LBB Staff:** JOB, ES, GG, SDO

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**CRIMINAL JUSTICE IMPACT STATEMENT**

**80TH LEGISLATIVE REGULAR SESSION**

**May 17, 2007**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

**IN RE: HB2498** by Gonzalez Toureilles (Relating to hazardous duty pay for correctional officers employed by the Texas Department of Criminal Justice.), **As Engrossed**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

**Source Agencies:**

**LBB Staff:** JOB, GG



**LEGISLATIVE BUDGET BOARD**

Austin, Texas

**CRIMINAL JUSTICE IMPACT STATEMENT**

**80TH LEGISLATIVE REGULAR SESSION**

April 5, 2007

**TO:** Honorable Jerry Madden, Chair, House Committee on Corrections

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

**IN RE: HB2498** by Gonzalez Toureilles (Relating to hazardous duty pay for correctional officers employed by the Texas Department of Criminal Justice.), **As Introduced**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

**Source Agencies:**

**LBB Staff:** JOB, GG