

BILL ANALYSIS

C.S.H.B. 1146
By: Anchia
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law aligns the overtime policy of fire fighters with that of other municipal employees. The hours worked by fire fighters, however, do not align with the work hours of other municipal employees.

C.S.H.B. 1146 provides that in determining hours worked for calculation of overtime, all hours are counted as hours worked when the fire fighter is required to remain on immediate call by continuously remaining in contact with the department by telephone, pager, or radio, or is taking any authorized leave, including attendance incentive leave, vacation leave, holiday leave, compensatory time off, jury duty, military leave, or leave due to a death in the family. The bill is applicable only to a city with a population of one million or more that has not adopted the municipal civil service law.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1146 amends the Local Government Code to establish criteria for determining the hours worked during a week by fire fighters in a municipality with a population of one million or more that has not adopted the municipal civil service law. The bill provides that all hours are counted as hours worked during which the fire fighter or member of the fire department is required to remain available for immediate call to duty by continuously remaining in contact with the fire department office by telephone, pager, or radio or is taking any authorized leave, including attendance incentive leave, vacation leave, holiday leave, compensatory time off, jury duty, military leave, or leave because of a death in the family.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1146 differs from the original by removing sick leave from time considered authorized leave when counting the number of hours a fire fighter has worked.