

By: Gonzalez Toureilles

H.B. No. 137

A BILL TO BE ENTITLED

AN ACT

relating to compensatory time accrued by a correctional officer employed by the Texas Department of Criminal Justice.

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

SECTION 1. Subchapter B, Chapter 659, Government Code, is amended by adding Section 659.0156 to read as follows:

Sec. 659.0156. PAYMENT TO CORRECTIONAL OFFICER FOR UNUSED COMPENSATORY TIME. (a) A correctional officer employed by the Texas Department of Criminal Justice who is entitled to compensatory time off under Section 659.015 or 659.016 and who, on the anniversary of the date on which the correctional officer began employment, has not used all of the correctional officer's accrued compensatory time, is entitled to payment for the accrued compensatory time if the correctional officer:

(1) was not subject to a disciplinary action during the preceding 12-month period, including a disciplinary action for a violation of the leave with pay policy; and

(2) received an evaluation of at least satisfactory in the correctional officer's most recent performance evaluation.

(b) A correctional officer who is paid for accrued compensatory time under Subsection (a) shall be paid:

(1) at the rate described by Section 659.015(c)(2), if the employee is covered by Section 659.015; and

(2) at the rate equal to the correctional officer's

1 regular rate of pay, notwithstanding Section 659.016(i), if the
2 employee is covered by Section 659.016.

3 SECTION 2. This Act takes effect September 1, 2009.