

By: Aycock

H.B. No. 483

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a public hearing held on the issue of making a payment
3 in excess of the compensation contracted for by a political
4 subdivision.

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

6 SECTION 1. Chapter 180, Local Government Code, is amended
7 by adding Section 180.007 to read as follows:

8 Sec. 180.007. PAYMENTS IN EXCESS OF CONTRACTUAL AMOUNT.

9 (a) A political subdivision may not pay an employee or former
10 employee more than an amount owed under a contract with the employee
11 unless the political subdivision holds at least one public hearing
12 under this section.

13 (b) Notice must be given of the hearing in accordance with
14 notice of a public meeting under Subchapter C, Chapter 551,
15 Government Code.

16 (c) The governing body of the political subdivision must
17 state the following at the public hearing:

18 (1) the reason the payment in excess of the
19 contractual amount is being offered to the employee or former
20 employee, including the public purpose that will be served by
21 making the excess payment; and

22 (2) the exact amount of the excess payment, the source
23 of the payment, and the terms for the distribution of the payment
24 that effect and maintain the public purpose to be served by making

1 the excess payment.

2 SECTION 2. The change in law made by this Act applies only
3 to a payment made by a political subdivision on or after the
4 effective date of this Act. A payment made before the effective
5 date of this Act is governed by the law in effect when the payment
6 was made, and the former law is continued in effect for that
7 purpose.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2013.