

By: Harper-Brown

H.B. No. 2906

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a hiring freeze of nonessential personnel employed by
3 certain state agencies.

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

5 SECTION 1. HIRING FREEZE. (a) This Act applies only to a
6 state agency in the executive branch of state government that is
7 eligible under law to receive an appropriation and has more than 750
8 full-time equivalent employee positions.

9 (b) Except as provided by Subsection (d) of this section,
10 during the state fiscal biennium that ends August 31, 2015, a state
11 agency may not:

12 (1) fill a full-time equivalent position that:

13 (A) is vacant on September 1, 2013; or

14 (B) becomes vacant after September 1, 2013; or

15 (2) divert to any other use money appropriated for the
16 salary, wages, or benefits attributable to a position described by
17 Subdivision (1) of this subsection.

18 (c) On September 1, 2015, the comptroller shall deposit any
19 unexpended money appropriated for salary, wages, or benefits for a
20 vacant position to which Subsection (b) of this section applies to
21 the credit of the fund or account from which the money was
22 appropriated.

23 (d) A state agency may fill a vacant position described by
24 Subsection (b) of this section and use to fill that position money

1 appropriated for the salary, wages, or benefits attributable to the
2 position only if the agency first determines that:

3 (1) the position is critically related to the agency's
4 ability to perform its core function; or

5 (2) the number of vacant full-time equivalent employee
6 positions with the agency is more than 10 percent of the total
7 number of full-time equivalent employee positions authorized for
8 the agency.

9 (e) If a state agency makes a determination under Subsection
10 (d) of this section, the agency shall:

11 (1) notify the governor and members of the Legislative
12 Budget Board of the nature of the vacancy; and

13 (2) provide other information relating to the vacancy
14 to the governor or members of the Legislative Budget Board on
15 request.

16 (f) A state agency that provides notice of a vacancy under
17 Subsection (e)(1) of this section is not required to provide notice
18 before filling a subsequent vacancy for that position.

19 SECTION 2. EXEMPTIONS. This Act does not apply to:

20 (a) The Department of Public Safety; or

21 (b) The Department of Criminal Justice.

22 SECTION 3. EXPIRATION. This Act expires September 1, 2015.

23 SECTION 4. EFFECTIVE DATE. This Act takes effect September
24 1, 2013.