

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Thompson of Harris, Price, Workman,  
White, Longoria, et al.

H.B. No. 2100

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the salary for certain employees of the Department of  
3 Public Safety of the State of Texas.

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


5 SECTION 1. Subchapter A, Chapter 411, Government Code, is  
6 amended by adding Section 411.0162 to read as follows:

7 Sec. 411.0162. SALARIES FOR CERTAIN TROOPERS.  
8 Notwithstanding any other provision of law, the department may pay  
9 its employees classified as Trooper Trainee, Probationary Trooper,  
10 and Trooper I at rates that exceed the maximum rates designated in  
11 Salary Schedule C of the position classification schedule  
12 prescribed by the General Appropriations Act by up to 15 percent  
13 each fiscal year.

14 SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2013.

# ADOPTED

MAY 21 2013

  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: 

1 Amend H.B. No. 2100 (senate committee printing) by striking  
2 all below the enacting clause and substituting the following:

3 SECTION 1. Subchapter A, Chapter 411, Government Code, is  
4 amended by adding Section 411.0162 to read as follows:

5 Sec. 411.0162. SALARIES FOR CERTAIN TROOPERS. (a)  
6 Notwithstanding any other provision of law and subject to the  
7 availability of money appropriated for that purpose, the department  
8 may pay its employees classified as Trooper Trainee, Probationary  
9 Trooper, and Trooper I at rates that exceed the maximum rates  
10 designated in Salary Schedule C of the position classification  
11 schedule prescribed by the General Appropriations Act for the state  
12 fiscal biennium ending August 31, 2013, for that position by up to  
13 10 percent.

14 (b) Notwithstanding Subsection (a) or any other provision  
15 of law and subject to the availability of money appropriated for  
16 that purpose, in the state fiscal year beginning September 1, 2013,  
17 the department may pay its employees classified as Trooper Trainee,  
18 Probationary Trooper, and Trooper I at rates that exceed the  
19 maximum rates designated in Salary Schedule C of the position  
20 classification schedule prescribed by the General Appropriations  
21 Act for the state fiscal biennium ending August 31, 2013, for that  
22 position by up to five percent. This subsection expires September  
23 1, 2014.

24 SECTION 2. This Act takes effect September 1, 2013.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 22, 2013**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2100** by Thompson, Senfronia (Relating to the salary for certain employees of the Department of Public Safety of the State of Texas.), **As Passed 2nd House**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2100, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

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

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

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

Fiscal Year	Probable Savings/(Cost) from State Highway Fund
	6
2014	(\$2,496,727)
2015	(\$4,987,446)
2016	(\$4,987,446)
2017	(\$4,987,446)
2018	(\$4,987,446)

**Fiscal Analysis**

The bill would amend the Government Code to authorize the Department of Public Safety in fiscal year 2014 to pay employees classified as Trooper Trainees, Probationary Troopers, and Trooper I's up to 5 percent more than the maximum rates specified for those classifications by Salary

Schedule C in the 2012-13 General Appropriations Act subject to the availability of money appropriated for that purpose. For each following fiscal year, the bill would authorize the Department of Public Safety to pay Trooper Trainees, Probationary Troopers, and Trooper I's up to 10 percent more than the maximum rates specified for those classifications by Salary Schedule C in the 2012-13 General Appropriations Act. The bill would take effect September 1, 2013.

### **Methodology**

The bill would allow pay increases of up to 5 percent in fiscal year 2014 and up to 10 percent in fiscal years 2015 and beyond for Department of Public Safety (DPS) employees classified as Trooper Trainee, Probationary Trooper, and Trooper I.

Costs for eligible DPS employees were calculated for each affected position by multiplying the increased salary amount times the number of officers in that position and tier. Amounts were then totaled across all positions and service tiers to derive a total salary increase. This total salary increase was increased by 18.75% for overtime, and further increases for certain benefits contributions were added. The estimated fiscal impact to DPS is \$2,493,727 in fiscal year 2014 and \$4,987,446 in each fiscal year thereafter. The total estimated DPS cost over a five-year period is \$22,443,511. The method of finance is State Highway Fund 06.

### **Technology**

No significant technology-related implication is anticipated.

### **Local Government Impact**

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

**Source Agencies:** 308 State Auditor's Office, 405 Department of Public Safety, 302 Office of the Attorney General

**LBB Staff:** UP, KK, JAW, AI, MW, SD, WM

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 13, 2013**

**TO:** Honorable Tommy Williams, Chair, Senate Committee on Finance

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2100** by Thompson, Senfronia (Relating to the salary for certain employees of the Department of Public Safety of the State of Texas.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2100, As Engrossed: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

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

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

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

Fiscal Year	Probable Savings/(Cost) from State Highway Fund
	6
2014	(\$7,545,988)
2015	(\$7,545,988)
2016	(\$7,545,988)
2017	(\$7,545,988)
2018	(\$7,545,988)

**Fiscal Analysis**

The bill would amend the Government Code to authorize the Department of Public Safety to pay employees classified as Trooper Trainees, Probationary Troopers, and Trooper I's up to 15 percent more than the maximum rates specified for those classifications by Salary Schedule C in the

General Appropriations Act. The bill would take effect upon a two-thirds vote of all members of both chambers; otherwise, the bill would take effect September 1, 2013.

### **Methodology**

The bill would allow pay increases of up to 15 percent for Department of Public Safety (DPS) employees classified as Trooper Trainee, Probationary Trooper, and Trooper I.

Costs for eligible DPS employees were calculated by DPS for each affected position by multiplying the increased salary amount times the number of officers in that position and tier. Then amounts were totaled across all positions and service tiers to get a total salary increase. This was increased by 18.75% for overtime, and further increases for benefits contributions were added. The estimated fiscal impact to DPS in fiscal years 2014-18 is \$7,545,988 in each fiscal year. The total estimated DPS cost over a five-year period is \$37,729,940. The method of finance is State Highway Fund 06.

### **Technology**

No significant technology-related implication is anticipated.

### **Local Government Impact**

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

**Source Agencies:** 308 State Auditor's Office, 405 Department of Public Safety, 302 Office of the Attorney General

**LBB Staff:** UP, JAW, KK, AI, MW, SD, WM

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**  
**Revision 1**

**April 29, 2013**

**TO:** Honorable Jim Pitts, Chair, House Committee on Appropriations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB2100** by Thompson, Senfronia (relating to the salary for certain employees of the Department of Public Safety of the State of Texas.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2100, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

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

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

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

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from State Highway Fund</b>
	<b>6</b>
2014	(\$7,545,988)
2015	(\$7,545,988)
2016	(\$7,545,988)
2017	(\$7,545,988)
2018	(\$7,545,988)

**Fiscal Analysis**

The bill would amend the Government Code to authorize the Department of Public Safety to pay

employees classified as Trooper Trainees, Probationary Troopers, and Trooper I's up to 15 percent more than the maximum rates specified for those classifications by Salary Schedule C in the General Appropriations Act. The bill would take effect upon a two-thirds vote of all members of both chambers; otherwise, the bill would take effect September 1, 2013.

### **Methodology**

The bill would allow pay increases of up to 15 percent for Department of Public Safety (DPS) employees classified as Trooper Trainee, Probationary Trooper, and Trooper I.

Costs for eligible DPS employees were calculated by DPS for each affected position by multiplying the increased salary amount times the number of officers in that position and tier. Then amounts were totaled across all positions and service tiers to get a total salary increase. This was increased by 18.75% for overtime, and further increases for benefits contributions were added. The estimated fiscal impact to DPS in fiscal years 2014-18 is \$7,545,988 in each fiscal year. The total estimated DPS cost over a five-year period is \$37,729,940. The method of finance is State Highway Fund 06.

### **Technology**

No significant technology-related implication is anticipated.

### **Local Government Impact**

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

**Source Agencies:** 308 State Auditor's Office, 405 Department of Public Safety, 302 Office of the Attorney General

**LBB Staff:** UP, JAW, KK, AI, MW, SD, WM



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 29, 2013**

**TO:** Honorable Jim Pitts, Chair, House Committee on Appropriations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2100** by Thompson, Senfronia (relating to the salary for certain employees of the Department of Public Safety of the State of Texas.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2100, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

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

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

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

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from State Highway Fund</b>
	<b>6</b>
2014	(\$8,539,175)
2015	(\$8,539,175)
2016	(\$8,539,175)
2017	(\$8,539,175)
2018	(\$8,539,175)

**Fiscal Analysis**

The bill would amend the Government Code to authorize the Department of Public Safety to pay employees classified as Trooper Trainees, Probationary Troopers, and Trooper I's up to 15 percent

more than the maximum rates specified for those classifications by Salary Schedule C in the General Appropriations Act. The bill would take effect upon a two-thirds vote of all members of both chambers; otherwise, the bill would take effect September 1, 2013.

### **Methodology**

The bill would allow pay increases of up to 15 percent for Department of Public Safety (DPS) employees classified as Trooper Trainee, Probationary Trooper, and Trooper I.

Costs for eligible DPS employees were calculated by DPS for each affected position by multiplying the increased salary amount times the number of officers in that position and tier. Then amounts were totaled across all positions and service tiers to get a total salary increase. This was increased by 18.75% for overtime, and further increases for benefits contributions were added. The estimated fiscal impact to DPS in fiscal years 2014-18 is \$8,539,175 in each fiscal year. The total estimated DPS cost over a five-year period is \$42,695,875. The method of finance is State Highway Fund 06.

### **Technology**

No significant technology-related implication is anticipated.

### **Local Government Impact**

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

**Source Agencies:** 308 State Auditor's Office, 405 Department of Public Safety, 302 Office of the Attorney General

**LBB Staff:** UP, JAW, KK, AI, MW, SD, WM

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 9, 2013**

**TO:** Honorable Jim Pitts, Chair, House Committee on Appropriations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2100** by Thompson, Senfronia (Relating to the salary reclassification of certain positions with the Department of Public Safety of the State of Texas.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2100, As Introduced: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

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

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

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

Fiscal Year	Probable Savings/(Cost) from State Highway Fund 6
2014	(\$27,663,610)
2015	(\$27,663,610)
2016	(\$27,663,610)
2017	(\$27,663,610)
2018	(\$27,663,610)

**Fiscal Analysis**

The bill would require the Office of the State Auditor to reclassify certain positions within the Department of Public Safety from "Salary Schedule B" to "Salary Schedule C" of the General Appropriations Act. This bill would take effect upon a two-thirds vote of all members of both chambers; otherwise, the bill would take effect September 1, 2013.

## **Methodology**

The bill would increase salaries of certain Department of Public Safety (DPS) law enforcement officers by reclassifying them one salary grade higher than their current salary grade. Costs for DPS officers were calculated by the Legislative Budget Board for each affected position and time in service tier by multiplying the increased salary amount times the number of officers in that position and tier. Then amounts were totaled across all positions and service tiers to get a total salary increase. This was increased by 18.75% for overtime, and increases for Social Security and ERS retirement contributions were added. The estimated fiscal impact to DPS in fiscal years 2014-18 is \$27,663,610 in each fiscal year. The total estimated DPS cost over a five-year period is \$138,318,050. The method of finance is State Highway Fund 06.

## **Technology**

No significant technology-related implication is anticipated.

## **Local Government Impact**

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

**Source Agencies:** 308 State Auditor's Office, 405 Department of Public Safety, 302 Office of the Attorney General

**LBB Staff:** UP, KK, AI, JAW, MW, SD, WM

**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**ACTUARIAL IMPACT STATEMENT**

**83RD LEGISLATIVE REGULAR SESSION**

**April 24, 2013**

**TO:** Honorable Jim Pitts, Chair, House Committee on Appropriations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2100** by Thompson, Senfronia (relating to the salary for certain employees of the Department of Public Safety of the State of Texas.), **Committee Report 1st House, Substituted**

CSHB 2100 provides that the department may pay Trooper Trainees, Probationary Troopers, and entry-level Troopers with the Department of Public Safety of the State of Texas up to 15% over the maximum rate designated in Salary Schedule C. According to the Employees Retirement System, CSHB 2100 will cause no measurable impact on the ERS retirement plans. Employees in the affected positions would either leave or be promoted to higher level positions before they could retire. So the bill would have a small positive actuarial impact on the fund since contributions would be increased without increasing retirement benefits.

**Source Agencies:** 338 Pension Review Board

**LBB Staff:** UP, WM

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**ACTUARIAL IMPACT STATEMENT**

**83RD LEGISLATIVE REGULAR SESSION**

**April 9, 2013**

**TO:** Honorable Jim Pitts, Chair, House Committee on Appropriations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2100** by Thompson, Senfronia (Relating to the salary reclassification of certain positions with the Department of Public Safety of the State of Texas.), **As Introduced**

HB 2100 would reclassify certain law enforcement officers working at the Department of Public Safety (DPS) to the salary group above the group they are currently in, which would provide a salary increase for these officers ranging up to 13.0 percent.

The pay increases to almost all affected DPS officers would be well in excess of the amounts assumed by the Employees Retirement System (ERS), or generally 5.0 to 5.5 percent for the more experienced officers affected by this proposal. These increases would be in addition to any other increases provided to Schedule C employees in the General Appropriations Act.

The Legislative Budget Board has estimated that the increases under HB 2100 would increase the Unfunded Actuarial Accrued Liability (UAAL) of ERS by \$26.5 million, and would increase the UAAL of the Law Enforcement and Custodial Officers Supplemental Retirement Fund (LECOS) by \$6 million. Other actuarial impacts to these funds are not estimated to be significant. The increases in liability would be larger if additional increases to Schedule C employees were provided in the General Appropriations Act.

The UAAL of ERS as of February 28, 2013 is \$6,019.3 million, and is estimated to increase to \$6,045.8 million under the bill. The actuarially sound funding rate would increase from 18.94% to 18.97%.

The UAAL of LECOS as of February 28, 2013 is \$225.3 million, and is estimated to increase to \$231.3 million under the bill. The actuarially sound funding rate would increase from 3.09% to 3.12%.

Section 811.006 of Government Code prohibits increasing certain benefits unless ERS is receiving adequate contributions to remain actuarially sound after the enactment of those benefits. However, a salary increase does not fall under the list of benefit increases subject to 811.006. So if the bill passed, and contributions to ERS were not increased, the bill would still be in compliance with Section 811.006 of Government Code.

**Source Agencies:** 338 Pension Review Board

**LBB Staff:** UP, WM