

By: Biedermann

H.B. No. 3628

A BILL TO BE ENTITLED

AN ACT

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

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

5 SECTION 1. HIRING FREEZE. (a) In this Act, "state agency"
6 means a public entity in the executive branch of state government
7 eligible under law to receive an appropriation.

8 (b) Except as provided by Subsection (d) of this Act, during
9 the state fiscal biennium that ends August 31, 2019, a state agency
10 may not:

11 (1) fill the position of an employee if the position:

12 (A) is vacant on September 1, 2017; or

13 (B) becomes vacant after September 1, 2017; or

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

17 (c) On September 1, 2019, the comptroller shall deposit any
18 unexpended money appropriated for salary, wages, or benefits for a
19 vacant position to which Subsection (b) of this Act applies to the
20 credit of the fund or account from which the money was appropriated.

21 (d) A state agency may fill a vacant position described by
22 Subsection (b) of this Act and use to fill that position money
23 appropriated for the salary, wages, or benefits attributable to the
24 position only if the agency first determines that the position is

1 critically related to the agency's ability to perform its core
2 function. On such determination the agency shall:

3 (1) notify the governor and members of the Legislative
4 Budget Board of the nature of the critical vacancy; and

5 (2) provide other information relating to the critical
6 vacancy to the governor or members of the Legislative Budget Board
7 on request.

8 (e) Once a state agency provides notice of a critical
9 vacancy under Subsection (d) of this Act, the agency is not required
10 to provide notice before filling the position in the event of a
11 subsequent vacancy.

12 SECTION 2. EXPIRATION. This Act expires September 1, 2019.

13 SECTION 3. EFFECTIVE DATE. This Act takes effect September
14 1, 2017.