

By: Gonzales of Williamson

H.B. No. 3963

A BILL TO BE ENTITLED

1 AN ACT

2 relating to limitations on the issuance of certain one-time merit
3 payments by state agencies under the direction of an elected
4 officer.

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

6 SECTION 1. Section 659.255, Government Code, is amended by
7 amending Subsection (f) and adding Subsection (h) to read as
8 follows:

9 (f) Except as provided by Subsection (h), a [A] state agency
10 may make a one-time merit payment to a classified employee in
11 relation to the employee's performance in the current classified
12 position held by the employee if:

13 (1) the employee has been employed by the agency in
14 that position for at least six continuous months before the
15 effective date of the payment;

16 (2) the effective date of the payment is at least six
17 months after the effective date of the employee's last:

18 (A) promotion; or

19 (B) merit salary increase for performance in that
20 position;

21 (3) the agency has complied with Subsection (c);

22 (4) the employee's job performance and productivity in
23 that position are consistently above that normally expected or
24 required; and

1 (5) the effective date of the payment is at least six
2 months after the effective date of the agency's last:

3 (A) payment to the employee of an enhanced
4 compensation award authorized by the General Appropriations Act; or

5 (B) one-time merit payment for performance in
6 that position.

7 (h) A state agency under the direction of an elected officer
8 may not make a one-time merit payment to a classified employee
9 within six months after the date on which the officer first assumes
10 the duties of the office.

11 SECTION 2. The changes in law made by this Act apply only to
12 a state officer who assumes office on or after the effective date of
13 this Act. A state officer who assumed office before the effective
14 date of this Act is subject to the law in effect at the time the
15 officer assumed office, and the current law is continued in effect
16 for that purpose.

17 SECTION 3. This Act takes effect September 1, 2017.