By:  Lucio III (Senate Sponsor - Watson) H.B. No. 2816

(In the Senate - Received from the House May 8, 2019; May 10, 2019, read first time and referred to Committee on Business & Commerce; May 20, 2019, reported favorably by the following vote: Yeas 8, Nays 0; May 20, 2019, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Hancock              X

Nichols              X

Campbell             X

Creighton                      X

Menéndez             X

Paxton               X

Schwertner           X

Whitmire             X

Zaffirini            X

A BILL TO BE ENTITLED

AN ACT

relating to compensation and leave for certain employees of the fraud unit of the Texas Department of Insurance.

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

SECTION 1.  Section 659.301(5), Government Code, is amended to read as follows:

(5)  "State employee" means an individual who:

(A)  is a commissioned law enforcement officer of the Department of Public Safety, the Texas Facilities Commission, the Texas Alcoholic Beverage Commission, the Texas Department of Criminal Justice, [~~or~~] the attorney general, or the insurance fraud unit of the Texas Department of Insurance;

(B)  is a commissioned security officer of the comptroller;

(C)  is a law enforcement officer commissioned by the Parks and Wildlife Commission;

(D)  is a commissioned peace officer of an institution of higher education;

(E)  is an employee or official of the Board of Pardons and Paroles or the parole division of the Texas Department of Criminal Justice if the employee or official has routine direct contact with inmates of any penal or correctional institution or with administratively released prisoners subject to the board's jurisdiction;

(F)  has been certified to the Employees Retirement System of Texas under Section 815.505 as having begun employment as a law enforcement officer or custodial officer, unless the individual has been certified to the system as having ceased employment as a law enforcement officer or custodial officer; or

(G)  before May 29, 1987, received hazardous duty pay based on the terms of any state law if the individual holds a position designated under that law as eligible for the pay.

SECTION 2.  Section 661.918(a), Government Code, is amended to read as follows:

(a)  This section applies to a peace officer under Article 2.12, Code of Criminal Procedure, who is commissioned as a law enforcement officer or agent, including a ranger, by:

(1)  the Public Safety Commission and the director of the Department of Public Safety;

(2)  the Parks and Wildlife Commission;

(3)  the Texas Alcoholic Beverage Commission; [~~or~~]

(4)  the attorney general; or

(5)  the insurance fraud unit of the Texas Department of Insurance.

SECTION 3.  Section 701.104, Insurance Code, is amended by adding Subsection (d) to read as follows:

(d)  The commissioner shall ensure that a peace officer commissioned under Subsection (a) is compensated according to Schedule C of the position classification salary schedule prescribed by the General Appropriations Act.

SECTION 4.  (a)  The classification officer in the office of the state auditor shall classify the position of commissioned peace officer employed by the insurance fraud unit of the Texas Department of Insurance as a Schedule C position under the Texas Position Classification Plan.

(b)  The change made by the classification officer as required by this section applies beginning with the state fiscal biennium beginning September 1, 2019.

(c)  This section expires September 1, 2021.

SECTION 5.  Section 661.918(a), Government Code, as amended by this Act, applies only to an injury that occurs on or after the effective date of this Act.

SECTION 6.  This Act takes effect September 1, 2019.

\* \* \* \* \*