

By: Lucio III

H.B. No. 2816

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

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

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

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

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

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

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

12 (a) This section applies to a peace officer under Article  
13 2.12, Code of Criminal Procedure, who is commissioned as a law  
14 enforcement officer or agent, including a ranger, by:

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

17 (2) the Parks and Wildlife Commission;

18 (3) the Texas Alcoholic Beverage Commission; ~~or~~

19 (4) the attorney general; or

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

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

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

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

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

9           (c) This section expires September 1, 2021.

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

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