

By: Krause

H.B. No. 905

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the compensation of certain public officials who
3 restrict or prohibit regular business operations under a
4 declaration of disaster.

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

6 SECTION 1. Subchapter B, Chapter 418, Government Code, is
7 amended by adding Section 418.027 to read as follows:

8 Sec. 418.027. LIMITATION ON GOVERNOR'S SALARY. (a) Except
9 as provided by Subsection (b), the governor's salary may not exceed
10 the minimum amount provided by Section 61-a, Article III, Texas
11 Constitution, during a state fiscal year in which the governor
12 declares a state of disaster and under that order or proclamation
13 restricts or prohibits the regular business operations of any
14 private business.

15 (b) Subsection (a) does not apply to an order that requires
16 the evacuation of a substantial part of the population from a
17 stricken or threatened area as described by Section 418.018.

18 SECTION 2. Section 418.108, Government Code, is amended by
19 adding Subsections (j) and (k) to read as follows:

20 (j) Except as provided by Subsection (k), if the presiding
21 officer of the governing body of a municipality or county or the
22 chief administrative officer of a joint board declares a local
23 state of disaster and under that order or proclamation restricts or
24 prohibits the regular business operations of any private business,

1 the municipality, county, or joint board, as applicable, shall:

2 (1) withhold the presiding officer's or chief
3 administrative officer's regular compensation during the period
4 that the restrictions or prohibitions are in effect; and

5 (2) reduce the officer's compensation for the
6 appropriate fiscal year by the total amount withheld under
7 Subdivision (1).

8 (k) Subsection (j) does not apply to an order that requires
9 the evacuation of a substantial part of the population from a
10 stricken or threatened area as described by Subsection (f).

11 SECTION 3. The changes in law made by this Act apply only in
12 connection with an order or proclamation issued on or after the
13 effective date of this Act.

14 SECTION 4. Sections 418.108(j) and (k), Government Code, as
15 added by this Act, do not apply to a contract regarding the
16 compensation of a presiding officer or chief administrative officer
17 entered into before the effective date of this Act.

18 SECTION 5. This Act takes effect September 1, 2021.