

(The House considered SB 2298 by Watson, the Senate companion bill, in lieu of HB 3631, the House version of the bill, which had been set on the daily calendar and was analyzed by the House Research Organization. The bill subsequently was enacted as SB 2298.)

HOUSE  
RESEARCH

ORGANIZATION bill digest

5/8/2009

HB 3631  
Farabee

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SUBJECT: Revising compensatory and merit pay standards for state employees

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 9 ayes — Solomons, Cook, Geren, Harless, Hilderbran, Lucio, Oliveira,  
Swinford, S. Turner

0 nays

6 absent — Menendez, Craddick, Farabee, Gallego, Jones, Maldonado

WITNESSES: For — Andy Homer, Texas Public Employees Association

Against — None

On — (*Registered, but did not testify*: Linda Flores, State Agency  
Coordinating Committee)

BACKGROUND: Government Code, ch. 659 establishes compensation for state officers and employees. Sec. 659.016 concerns overtime compensation and reductions in pay for employees not subject to the federal Fair Labor Standards Act. Sec. 659.018 prohibits a state employee from accumulating compensatory time off if the hours are attributable to work performed at a place other than the employee's regular or temporarily assigned place of employment.

Sec. 659.255 concerns merit salary increases and one-time merit payments for state employees, and requires that any one-time merit payment to a classified employee be made at least six months after the employee's last promotion, merit salary increase, one-time merit payment, or any other enhanced compensation payment.

DIGEST: HB 3631 would allow state employees to be paid for compensatory time earned for work directly related to a declared disaster or emergency. It also would waive the current six-month limitation on one-time merit payments if the administrative head of an agency determined in writing that the

payment was made in relation to the employee's performance during a natural disaster or other extraordinary circumstance.

The bill also would permit state employees to accumulate compensatory time off for hours worked at the employee's home if the employee received advance approval from the administrative head of the agency at which the employee worked or that person's designee.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

**NOTES:**

The companion bill, SB 2298 by Watson, passed the Senate by 31-0 on April 28 and has been referred to the House State Affairs Committee.