

## **BILL ANALYSIS**

Senate Research Center  
77R14452 KSD-F

C.S.S.B. 557  
By: Carona  
Intergovernmental Relations  
5/2/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Under current law, Dallas is the largest city in Texas not to adopt a civil service program under Chapter 143, Texas Local Government Code. As a result, public sector employment practices are governed by municipal ordinance and regulations. Concerns have been raised, particularly within the Dallas Police Department, regarding inequitable procedures for compensation of overtime and/or compensatory time off. Under the current policy, some employees receive financial compensation for their time, while others are required to flex their schedules accordingly instead of receiving compensation. C.S.S.B. 557 authorizes, but does not require, a municipality to establish a system under which compensation is paid or compensatory time off is allowed for overtime worked by certain officers and employees of the municipality's police department.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 142, Local Government Code, by adding Section 142.012, as follows:

Sec. 142.012. OVERTIME COMPENSATION FOR CERTAIN POLICE DEPARTMENT OFFICERS AND CIVILIAN EMPLOYEES. (a) Provides that this section applies only to a municipality with a population of one million or more that has not adopted Chapter 143 (Municipal Civil Service).

(b) Authorizes, but does not require, a municipality, subject to the federal Fair Labor Standards Act of 1938 (29 U.S.C., Section 201et seq.), to establish a system under which compensation is paid or compensatory time off is allowed for overtime worked by certain officers and employees of the municipality's police department.

SECTION 2. Effective date: September 1, 2001.  
Makes application of this Act prospective.

### **SUMMARY OF COMMITTEE CHANGES**

Amends As Filed S.B. 1554 as follows:

SECTION 1. Omits original proposed new Section 142.012(b), Local Government Code, and adds a new Section 142.012(b).

SECTION 2. No change.