

## **BILL ANALYSIS**

Senate Research Center  
80R12333 ACP-D

H.B. 1768  
By: Anchia et al. (West)  
Intergovernmental Relations  
5/2/2007  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law aligns the overtime policy of police officers with that of other municipal employees. Police officers, however, are often on call during off-duty hours and are required to perform duties that exceed those of other municipal employees. Many Texas cities, including Houston and San Antonio, have collective bargaining agreements with their police officers allowing them to address these issues.

However, the City of Dallas does not have a collective bargaining agreement to provide police officers with a more practical method of calculating overtime.

H.B. 1768 prohibits a police officer from being required to work more than 40 hours a week in a municipality that has a population of more than one million, is not subject to a collective bargaining agreement, and has not adopted the Fire and Police Relations Act. This bill provides that, in determining whether a police officer is considered to be working overtime, all hours are counted in which the officer was required to remain on immediate call by continuously remaining in contact with a police department by telephone or radio; the officer was considered to be working overtime in an emergency; and the officer took any authorized leave including attendance incentive leave, vacation leave, holiday leave, compensatory time off, jury duty, military leave, or leave due to a death in the family.

### **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 Section 142.0015, Local Government Code, by amending Subsection (f) and adding Subsection (f-1), as follows:

(f) Prohibits a police officer, except as provided by Subsection (g) or (j), from being required to work more than 40 hours during a calendar week in a municipality that has a population of more than one million, is not subject to Section 142.0017 (Hours of Labor and Vacation of Members of Fire and Police Departments in Municipality With Population More Than 1.5 Million), and has not adopted Chapter 174 (Fire and Police Employee Relations), or in a municipality not described above, more hours during a calendar week than the number of hours in the normal work week of the majority of the employees of the municipality other than fire fighters and police officers.

(f-1) Sets forth the manner in which the determination of whether a police officer is considered to have been required to work overtime for purposes of Subsection (f) is made.

SECTION 2. Effective date: September 1, 2007.