

BILL ANALYSIS

Senate Research Center

S.B. 633
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Intergovernmental Relations
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law allows a municipality with a population greater than 10,000 to establish a work cycle of up to 28 days which a firefighter is required to work before becoming eligible for overtime, if the firefighter worked at least 212 hours during the work cycle.

As proposed, S.B. 633 exempts a fire chief or the assistant chief or its equivalent classification of a municipality with a population greater than 10,000 from the overtime eligibility requirements.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 142.0015(b), (c), (d), and (e), Local Government Code, as follows:

Sec. 142.0015. HOURS OF LABOR AND VACATION OF MEMBERS OF FIRE AND POLICE DEPARTMENTS IN MUNICIPALITY WITH POPULATIONS OF MORE THAN 10,000. (a) Makes no change to this subsection.

(b) Provides that a fire fighter or a member of a fire department (member) who provides emergency medical services other than the fire chief or the assistant chief or its equivalent classification, who works the previously specified hours is considered to have worked overtime. Deletes existing text allowing a firefighter and member who is not exempt under the Fair Labor Standards Act of 1938, 29 U.S.C. Section 201 et Seq., to be eligible for the considerations of certain hours worked as overtime.

(c) Makes conforming changes.

(d) Provides that hours worked, rather than simply hours, are counted for certain purposes. Deletes existing text which provides that this subsection applies to a member covered by 29 U.S.C. Section 207 (k) and as provided by Subsections (b) and (c). Makes a nonsubstantive change. Provides that hours in which a firefighter or member is required only to leave a telephone number at which that person may be reached or to remain accessible by radio or page are not counted as overtime.

(e) Makes conforming changes.

SECTION 2. Effective date: upon passage or September 1, 2007.