

BILL ANALYSIS

Senate Research Center
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S.B. 623
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law aligns the overtime policy of firefighters with that of other municipal employees, but the hours worked by firefighters do not align with the work hours of other municipal employees. S.B. 623 is only applicable to a city with a population over one million that has not adopted Chapter 143 (Municipal Civil Service for Firefighters and Police Officers), Local Government Code.

As proposed, S.B. 623 provides that, in determining whether a firefighter is considered to be working overtime, all hours are counted in which the firefighter was required to remain on immediate call by continuously remaining in contact with the department by telephone, pager, or radio, or 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 adding Subsection (e-1), to provide that notwithstanding Subsection (d) (related to computing hours worked in a work week for firefighters), in a municipality with a population of one million of more that has not adopted Chapter 143 (Municipal Civil Service for Firefighters and Police Officers), for purposes of determining hours worked, including determining hours worked for calculation of overtime under Subsection (e), all hours are counted as hours worked during which the firefighter or member of the fire department is required to remain available for immediate call to duty by continuously remaining in contact with the fire department office by telephone, pager, or radio; or is taking any authorized leave, including attendance incentive leave, vacation leave, holiday leave, sick leave, compensatory time off, jury duty, military leave, or leave because of a death in the family.

SECTION 2. Effective date: upon passage or September 1, 2009.