

BILL ANALYSIS

Senate Research Center

H.B. 3513
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Finance
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Engrossed

DIGEST

Currently, the State Auditor's Office administers the Texas Position Classification Plan established under Chapter 654, Government Code. The state auditor appoints the classification officer, subject to the advice and approval of the Legislative Audit Committee. The classification officer is required to maintain and keep current the position classification plan, to advise and assist state agencies in equitably and uniformly applying the plan, to assist in human resource audits to ensure conformity with the plan, and to make recommendations concerning the operation or improvement of the plan to the Governor or the Legislature. This bill amends the Position Classification Act to correspond with the proposed revisions to Article IX of the General Appropriations Act.

PURPOSE

As proposed, H.B. 3513 amends the Position Classification Act to correspond with the proposed revisions to Article IX of the General Appropriations Act.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 654.011, Government Code, to provide that the position classification plan and the salary rates and provisions in the General Appropriations Act apply to all hourly, part-time, temporary, and regular, full-time salaried employments in the state departments, agencies, or judicial entities specified in the articles of the General Appropriations Act that appropriate money to general government agencies, rather than executive and administrative departments and agencies; health and human services agencies, rather than health, welfare, and rehabilitation agencies; public safety and criminal justice agencies; natural resources agencies; business and economic development agencies; regulatory agencies; and agencies of public education, but only the Texas, rather than Central, Education Agency, the State Board for Educator Certification, and the Telecommunications Infrastructure Fund, among others. Makes conforming changes.

SECTION 2. Amends Section 654.012, Government Code, to provide that the position classification plan does not apply to personnel, rather than research personnel, in state institutions of higher education, among others. Deletes text providing that the position classification plan does not apply to a medical doctor; an hourly employee; a part-time employee; and a temporary employee, among others. Makes conforming changes.

SECTION 3. Amends Section 654.015, Government Code, as follows:

Sec. 654.015. New heading: QUALIFICATION GUIDELINES AND SPECIFICATIONS IN POSITION CLASSIFICATION PLAN. Provides that general qualification guidelines, rather than requirements or similar requirements, in the position classification plan are only meant to represent the qualifications commonly wanted by employing officers of the state, and do not have the force of law.

SECTION 4. Amends Section 654.033, Government Code, to require an individual to have, in order to be eligible for appointment as classification officer, among other qualifications, at least six years'

experience in position classifications or human resource, rather than personnel, management.

SECTION 5. Amends Section 654.036, Government Code, to require the classification officer, among other actions, to conduct classification compliance, rather than to assist in personnell, audits to ensure conformity with the plan.

SECTION 6. Amends Section 654.038, Government Code, as follows:

Sec. 654.038. New heading: CLASSIFICATION COMPLIANCE AUDITS; NOTIFICATION AND VOLUNTARY CORRECTION OF NONCONFORMITY. Requires the classification officer to notify the governor, the comptroller, and the Legislative Audit Committee (LAC), among others, when a classification compliance audit reveals nonconformity with the position classification plan or with prescribed salary ranges. Provides that the chief executive is entitled to a reasonable opportunity to resolve the nonconformity by reclassifying, rather than reassigning, the employee to a position title or class consistent with the work performed; changing the employee's duties, rather than title or salary rate, to conform to the assigned class, rather than plan and salary range; or obtaining a new class description of work and salary range. Makes a conforming change.

SECTION 7. Amends Section 654.040, Government Code, to authorize the governor, after consultation with LAC, rather than with the advice of LAC, to determine the action to be taken to resolve a nonconformity. Deletes existing Subsection (2), which authorizes the governor to direct the comptroller to not issue a payroll warrant under certain conditions. Makes a conforming change.

SECTION 8. Emergency clause.
Effective date: upon passage.