

## **BILL ANALYSIS**

Senate Research Center  
77R3178 MTB-F

S.B. 1649  
By: Bernsen  
Finance  
4/9/2001  
As Filed

### **DIGEST AND PURPOSE**

Currently, certain state employees are not allowed overtime for working certain types of declared disasters. As proposed, S.B. 1649 allows certain state employees to earn overtime compensation while working certain types of disasters.

### **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 659B, Government Code, by adding Section 659.0165, as follows:

Sec. 659.0165. OVERTIME COMPENSATION FOR CERTAIN EMPLOYEES PERFORMING DUTIES RELATED TO DISASTERS. (a) Provides that this section applies only to a state employee who is not eligible to be paid for overtime under other law.

(b) Provides that a state employee who performs duties related to a disaster that is declared by the president of the United States or the governor is entitled to overtime compensation for hours worked in excess of 40 hours in a workweek from the day on which the state emergency operating center is activated at least at level three until the day the disaster field office closes.

(c) Provides that except as provided by Subsection (d), the employee is entitled to compensation for the excess hours for the first 160 hours of overtime worked under Subsection (b), in the manner provided by Section 659.015(c) and after the first 160 hours of overtime worked under Subsection (b), by receiving pay for the overtime at the rate equal to 1-1/2 times the employee's regular rate of pay.

(d) Provides that an employee entitled to receive compensation under Subsection (c)(1) may receive payment for the overtime or may accrue compensatory time for the overtime hours worked at the discretion of the employee.

SECTION 2. Effective date: September 1, 2001.