Chapter 534

S.B. No. 1474

1	AN ACT
2	relating to compensation for certain emergency services personnel.
3	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
4	SECTION 1. Subchapter B, Chapter 659, Government Code, is
5	amended by adding Section 659.025 to read as follows:
6	Sec. 659.025. USE OF COMPENSATORY TIME BY CERTAIN EMERGENCY
7	SERVICES PERSONNEL; OPTIONAL OVERTIME PAYMENT. (a) In this
8	section, "emergency services personnel" includes firefighters,
9	police officers and other peace officers, emergency medical
10	technicians, emergency management personnel, and other individuals
11	who are required, in the course and scope of their employment, to
12	provide services for the benefit of the general public during
13	emergency situations.
14	(b) This section applies only to a state employee who is
15	emergency services personnel, who is not subject to the overtime
16	provisions of the federal Fair Labor Standards Act of 1938 (29
17	U.S.C. Section 201 et seq.), and who is not an employee of the
18	legislature, including an employee of the lieutenant governor or of
19	a legislative agency.
20	(c) Notwithstanding Section 659.016 or any other law, an
21	employee to whom this section applies may be allowed to take
22	compensatory time off during the 18-month period following the end
23	of the workweek in which the compensatory time was accrued.
24	(d) Notwithstanding Section 659.016 or any other law, the

S.B. No. 1474

- 1 administrative head of a state agency that employs an employee to
- 2 whom this section applies may pay the employee overtime at the
- 3 employee's regular hourly salary rate for all or part of the hours
- 4 of compensatory time off accrued by the employee during a declared
- 5 disaster in the preceding 18-month period. The administrative head
- 6 shall reduce the employee's compensatory time balance by one hour
- 7 for each hour the employee is paid overtime under this section.
- 8 SECTION 2. This Act takes effect September 1, 2009.

S.B. No. 1474

-ce Yu

round sewhurst In Stram
President of the Senate Speaker of the House
I hereby certify that S.B. $\sqrt{\text{No.}/1474}$ passed the Senate on
April 23, 2009, by the following vote: Yeas 30, Nays 0
I hereby certify that S.B. No. 1474 passed the House or
May 26, 2009, by the following vote: Yeas 144, Nays 0, two
present not voting
Chief Clerk of the House Approved:

FILED IN THE OFFICE OF THE SECRETARY OF STATE

2 P(\(\sigma\) o'CLOCK

JUN 19 2009