

CHAPTER 492

S.B. No. 569

An Act relating to the use of a merit system of personnel administration by certain state agencies and the abolition of the Texas Merit System Council; repealing Chapter 322, Acts of the 67th Legislature, Regular Session, 1981 (Article 6252-11d, Vernon's Texas Civil Statutes).

Be it enacted by the Legislature of the State of Texas:

SECTION 1. MERIT SELECTION OF EMPLOYEES BY CERTAIN STATE AGENCIES. (a) Each state agency that is required by federal law or regulation to use a merit system of personnel administration for that agency or a program administered under that agency shall establish by rule intraagency procedures and policies to ensure agency compliance with the federal requirements and the recruitment, selection, and advancement of highly competent agency personnel.

(b) If considered necessary by the executive head of such a state agency, the agency may create a separate division within the agency to administer the procedures and policies.

SECTION 2. MERIT PRINCIPLES. (a) Each state agency subject to this Act shall include in the rules adopted under Section 1 of this Act rules that ensure that the agency:

(1) recruits, selects, and advances its employees on the basis of the relative ability, knowledge, and skill of its job applicants and employees;

(2) provides equitable and adequate compensation to its employees;

(3) provides any necessary training for its employees to ensure high-quality performance;

(4) retains employees based on the adequacy of the job performance of those employees;

(5) ensures fair treatment of job applicants and employees in all aspects of personnel administration and fully complies with all state and federal equal opportunity and nondiscrimination laws; and

(6) ensures that its employees are both protected against coercion for partisan political purposes and prohibited from using their employee status to interfere with or affect the result of an election or nomination for office.

(b) Each agency subject to this Act shall implement any additional merit principles required by applicable federal laws or regulations.

SECTION 3. REPEAL. Chapter 322, Acts of the 67th Legislature, Regular Session, 1981 (Article 6252-11d, Vernon's Texas Civil Statutes), is repealed.

SECTION 4. TRANSITION. (a) The Texas Merit System Council is abolished.

(b) Except as provided by Subsection (c) of this section, property and records in the custody of the Texas Merit System Council on the effective date of this Act are transferred to the custody of the State Purchasing and General Services Commission.

(c) If the governor designates that certain property and records in the custody of the Texas Merit System Council on the effective date of this Act be transferred to other appropriate state agencies, the property and records are transferred to the designated state agencies.

(d) The state agencies subject to the merit system requirements of this Act shall make reasonable efforts to relocate employees of the Texas Merit System Council displaced under this Act.

SECTION 5. EFFECTIVE DATE. This Act takes effect September 1, 1985.

SECTION 6. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on March 20, 1985, by a viva-voce vote; passed the House on May 23, 1985, by a non-record vote.

Approved: June 12, 1985

Effective: September 1, 1985