

CHAPTER 333

S.B. No. 128

AN ACT

relating to the Texas Incentive and Productivity Commission.

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

SECTION 1. Subsection (e), Section 2.002, Texas Incentive and Productivity Act (Article 6252-29a, Vernon's Texas Civil Statutes), is amended to read as follows:

(e) An employee whose suggestion results in a net annual savings or increase in revenues, including savings or increased revenues that result from increased productivity, of \$100 or more is eligible for a bonus of 10 percent of the net savings or revenue increase, up to a maximum award of \$5,000. *If the suggestion is submitted by more than one employee, the bonus shall be divided among the employees.* An employee whose suggestion results in a net annual savings or increase in revenues of less than \$100 is not eligible for a bonus but is eligible for a certificate of appreciation.

SECTION 2. Subdivision (3), Section 3.001, Texas Incentive and Productivity Act (Article 6252-29a, Vernon's Texas Civil Statutes), is amended to read as follows:

(3) "Division" means a unit of a state agency that:

(A) has an identifiable self-contained budget; ~~or~~

(B) maintains its financial records under an accounting system that permits the accurate identification of the expenditures and receipts of the unit; *or*

(C) consists of a group of employees identified by the agency and approved by the commission.

SECTION 3. Subsection (b), Section 3.002, Texas Incentive and Productivity Act (Article 6252-29a, Vernon's Texas Civil Statutes), is amended to read as follows:

(b) *The commission shall act on an agency's plan as early as practicable after receiving it.* The commission may return any plan to the executive director who submits it to request additional information or clarification of details relating to the plan. The commission must approve an agency plan before a state agency may apply for a productivity bonus for the agency or a division of the agency. The commission shall inform the executive director in writing that the plan is approved or rejected not later than the 30th day after the *open meeting at which the plan is considered* ~~[date the plan is received]~~.

SECTION 4. Subsection (c), Section 3.004, Texas Incentive and Productivity Act (Article 6252-29a, Vernon's Texas Civil Statutes), is amended to read as follows:

(c) The commission shall consider as a legitimate savings a reduction in expenditures made possible by:

(1) reductions in overtime for eligible employees;

(2) *reductions in* ~~[elimination of]~~ consultant fees;

(3) *reductions in* ~~[elimination of]~~ budgeted positions;

(4) *reductions in* ~~[elimination of unnecessary]~~ travel;

(5) *reductions in* ~~[elimination of unnecessary]~~ printing and mailing;

(6) *reductions in* ~~[elimination of]~~ payments for ~~[unnecessary]~~ advertising, membership dues, subscriptions, and other nonessential outlays of state agency or division funds;

(7) increased efficiency in use of energy;

(8) improved office procedures and systems; and

(9) any other practice or device that the commission determines has resulted in verifiable savings.

SECTION 5. Subsection (b), Section 3.007, Texas Incentive and Productivity Act (Article 6252-29a, Vernon's Texas Civil Statutes), is amended to read as follows:

(b) From the funds in the state agency's or division's productivity bonus account, the commission shall award to the eligible employees of the agency or division an amount not to exceed 25 percent of the amount in that account. The awarded amount shall be *divided and distributed in equal shares to the eligible current employees of the agency or division, except that those employees who worked part-time or less than 12 months of the year shall receive only a pro rata share based on the fraction of the year worked.* The commission may grant an agency's or a division's request not to pay bonuses if a negligible reduction in cost has occurred. ~~[distributed in equal shares to the eligible current employees of the agency or division].~~ A bonus made to any individual employee may not exceed \$1,000. ~~[An eligible employee who worked in the agency or division for less than the full fiscal year or on a part-time basis is entitled to a pro rata share based on the fraction of the fiscal year and the average fraction of the work week that the employee worked in the agency or division.]~~ An eligible employee under this section is an employee who:

- (1) is an hourly, part-time, or temporary employee;
- (2) is a classified employee under the Position Classification Act of 1961 (Article 6252-11, Vernon's Texas Civil Statutes); or
- (3) performs functions that are equivalent to functions performed by a classified employee in other state agencies.

SECTION 6. 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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on March 30, 1993: Yeas 31, Nays 0; passed the House on May 14, 1993: Yeas 106, Nays 0, one present not voting.

Approved May 29, 1993.

Effective May 29, 1993.