CHAPTER 412

H.B. No. 2599

AN ACT
relating to the determination and reporting of the number of full-time equivalent state employees.

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

SECTION 1.   DEFINITIONS. In this Act:

(1) "Full-time equivalent employee" means an employee who maintains at least a 40-hour work week, including authorized vacations and leaves. A part-time employee is counted as a fractional full-time equivalent employee according to the ratio that the number of hours normally worked bears to 40 hours.

(2) "State agency" means:

(A) any department, commission, board, office, or other agency in the executive or legislative branch of state government created by the constitution or a statute of this state, including an institution of higher education as defined by Section 61.003, Education Code; or

(B) the Supreme Court of Texas, the Court of Criminal Appeals of Texas, a court of appeals, or the Texas Judicial Council or other agency in the judicial branch of state government.

SECTION 2. REPORTS. (a) Before the end of the month following each quarter of the fiscal year, each state agency shall report to the state auditor the number of full-time equivalent state employees who were employed by that agency during the preceding quarter of the fiscal year and who were paid from funds maintained in or out of the state treasury. The report must be made in writing in the manner prescribed by the state auditor. In the report, each state agency shall identify the total number of state agency positions paid from funds maintained in the state treasury and the total number of positions paid from funds maintained outside the state treasury and shall indicate any increase or decrease in the number of full-time equivalent employees from the previous fiscal quarter.

(b) In the report made under Subsection (a) of this section, each state agency shall also report the number of individuals who, during the preceding quarter of the fiscal year, performed services for the agency as consultants, or who otherwise performed services for the agency under the terms of a contract, including individuals employed as temporary employees under contracts with temporary help services.

(c) In accordance with specific guidelines established by the state auditor, each state agency may adopt rules as necessary relating to the collection of the information to be reported under this section.

(d) From the information provided in the reports submitted by state agencies under this section, the state auditor shall prepare quarterly summary reports and shall provide copies of those summary reports to the Legislative Budget Board, the office of the governor, and the office of the comptroller of public accounts.

SECTION 3. POWERS AND DUTIES OF STATE AUDITOR. (a) The state auditor shall adopt rules relating to the manner in which a state agency shall report under Section 2 of this Act.

(b) The state auditor may audit a state agency to ensure compliance with this Act and the accuracy of the reported information.

SECTION 4. PUBLIC INFORMATION. Information reported under this Act constitutes a public record under Chapter 424, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252–17a, Vernon's Texas Civil Statutes).

SECTION 5. EFFECTIVE DATE. (a) This Act takes effect September 1, 1987.

(b) Each state agency shall make its initial report to the state auditor not later than December 31, 1987.

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 by the House on May 20, 1987, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 2599 on May 30, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 28, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 17, 1987.

Effective Sept. 1, 1987.