

CHAPTER 128

S.B. No. 638

AN ACT

relating to the repayment of lost wages on reinstatement of a suspended officer or employee of certain fire or police departments.

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

SECTION 1. Section 16, Chapter 325, Acts of the 50th Legislature, 1947, as amended (Article 1269m, Vernon's Texas Civil Statutes), is amended by adding Subsection (f) to read as follows:

*(f) If the Commission, a hearing examiner, or a district court orders that an employee suspended without pay be reinstated, the city shall, not later than the end of the second full pay period after the date on which the employee is reinstated, repay to the employee all wages lost as a result of the suspension. If the city does not fully repay all lost wages to the employee as provided by this subsection, the city shall pay the employee an amount equal to the lost wages plus accrued interest. Interest accrues beginning on the date of the employee's reinstatement at a rate equal to three (3) percent plus the rate for court judgments under Article 1.05, Title 79, Revised Statutes (Article 5069-1.05, Vernon's Texas Civil Statutes), that is in effect on the date of the employee's reinstatement.*

SECTION 2. This Act takes effect September 1, 1987, and applies to a reinstatement of a suspended fire or police department employee that occurs on or after that date. A reinstatement of a suspended fire or police department employee that occurs before the effective date is governed by the law in effect on the date the reinstatement occurred, and that law is continued in effect for that purpose.

SECTION 3. 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 April 15, 1987, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 8, 1987, by a viva-voce vote.

Passed the House, with amendment, on April 30, 1987, by a non-record vote.

Approved May 20, 1987.

Effective Sept. 1, 1987.