

BILL SUMMARY
2nd Session of the 52nd Legislature

Bill No.:	SB 1659
Version:	Committee Substitute
Author:	Representative Wright (John)/ Senator Aldridge
Date:	4/6//2010
Impact:	\$0

Bill Summary

Research Analyst: Dusty Darr

The Committee Substitute (CS) for Engrossed Senate Bill (ESB) 1659 restores the title and amends the Fair Labor Standards Act by providing that no agency, board, commission, department, institution, bureau, executive officer or other entity of the executive branch can exceed the minimum overtime entitlement provisions of the Act and regulations promulgated pursuant to Act except as provided by the measure. The measure also provides that the provisions of Subsection B do not apply to the chief executive officers of any agency, board, commission or department except for paragraphs three (3) and five (5) of Subsection B.

In addition, the measure permits an employee receiving compensatory time to use such accrued compensatory time within one hundred eight (180) days following the day on which the time was accrued, provided that the taking of compensatory time does not unduly impact agency operations. Under current law, the use of accrued compensatory time is permitted within 180 days following the pay period in which the time is accrued. The measure also removes the word “wages” from the fair minimum standards provisions of the Act and provides a new definition of the word “copy,” which is defined as the duplication of an original document or recording in an electronic format generated from technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

Fiscal Summary

Fiscal Analyst: Terry McKenna

The Committee Substitute for ESB 1659 modifies language related to the Fair Labor Standards Act by deleting “wages” from the fair minimum standards provision of the Act, and provides that no agency, board, commission, department, institution, bureau, executive officer or other entity of the executive branch shall exceed the minimum overtime entitlement provisions of the Act except as provided in the measure. ESB 1669 also permits the use of accrued compensatory time within one hundred eighty (180) days following the day on which it was accrued; current law provides for use following the pay period in which the leave was accrued. The provisions in subsection B shall not apply to chief executive officers of any agency, board, commission, department or program except for paragraphs 3 and 5 of subsection B.

Fiscal Analysis

The Office of Personnel Management (OPM) advises that this bill clarifies language related to overtime under the Fair Labor Standards Act, the accrual of state compensatory time and pay

mechanisms as they relate to chief executive officers. OPM anticipates no additional costs under the provisions of this measure

Long Term Fiscal Considerations

As Stated Above

Fiscal Analysis Reviewed By:

Janice Buchanan

House Fiscal Director