

## Department of Planning and Budget 2006 Fiscal Impact Statement

**1. Bill Number** SB657

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron** Cuccinelli

**3. Committee** Finance

**4. Title** Overtime compensation for state law-enforcement employees.

**5. Summary/Purpose:** Clarifies that the current overtime compensation provisions for law-enforcement employees applies to state law-enforcement employees.

**6. Fiscal Impact Estimates are:** PRELIMINARY; See item 8.

**7. Budget amendment necessary:** Yes; Item 414.

**8. Fiscal implications:** The full fiscal impact of this proposal cannot be determined at this time. As proposed, “the Commonwealth” is defined as an “employer” and as such all agencies with law enforcement employees would be required to pay overtime compensation or leave, at a rate of not less than one and one-half times the employee’s regular rate of pay for all overtime hours worked.

However, the minimum fiscal impact can be identified by using data provided by the agency with the largest number of law enforcement officers employed by the Commonwealth, the Department of State Police. The department presently utilizes two types of overtime-related leave to manage its workload to minimize overtime payments to its officers. One of these stipulate that for every hour of overtime worked, the department provides an hour of leave.

At present, the department is utilizing its overtime leave policy to the maximum allowed to manage its workload. This legislation requires the department to award time and a half for overtime. If the department is to continue covering the same workload as it is today, then it would need to pay for the “half-time” presently not being covered by the leave policy.

Given this, the data presently available from the State Police shows the agency would incur at a minimum \$1.2 million in overtime costs a year. The department is presently not funded for this potential additional expense.

**9. Specific agency or political subdivisions affected:** All state law enforcement agencies.

**10. Technical amendment necessary:** No.

**11. Other comments:** None.

**Date:** 01/30/06 / jgc

**Document:** G:\2006\EFIS\Posted\SB657.DOC

cc: Secretary of Finance

Secretary of Public Safety