

By: Leman

H.B. No. 3151

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to municipalities and counties that adopt budgets that  
3 reduce the funding or personnel allocated for law enforcement  
4 agencies.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 140, Local Government Code, is amended  
7 by adding Section 140.013 to read as follows:

8 Sec. 140.013. DEFUNDING LOCAL GOVERNMENT. (a) A defunding  
9 local government is a municipality or county:

10 (1) that adopts a budget for a fiscal year that, in  
11 comparison to the local government's preceding fiscal year,  
12 reduces:

13 (A) the appropriation to the local government's  
14 law enforcement agency;

15 (B) the number of peace officers the local  
16 government's law enforcement agency is authorized to employ;

17 (C) funding for peace officer overtime  
18 compensation for the local government's law enforcement agency; or

19 (D) funding for the recruitment and training of  
20 new peace officers to fill each vacant peace officer position in the  
21 local government's law enforcement agency; and

22 (2) for which the criminal justice division of the  
23 governor's office issues a written determination finding that the  
24 local government has taken an action described by Subdivision (1).

1       (a-1) In making a determination of whether a local  
2 government is a defunding local government according to the budget  
3 adopted for the first fiscal year beginning on or after September 1,  
4 2021, the criminal justice division of the governor's office shall  
5 compare the funding and personnel in that budget to the funding and  
6 personnel in the budget of the preceding fiscal year or the second  
7 preceding fiscal year, whichever is greater. This subsection  
8 expires September 1, 2023.

9       (b) A local government is considered to be a defunding local  
10 government until the criminal justice division of the governor's  
11 office issues a written determination finding that the local  
12 government has reversed the reductions, adjusted for inflation,  
13 described in Subsection (a)(1).

14       (c) The criminal justice division of the governor's office  
15 shall:

16               (1) compute the inflation rate used to make  
17 determinations under Subsection (b) each state fiscal year using a  
18 price index that accurately reports changes in the purchasing power  
19 of the dollar for local governments in this state; and

20               (2) publish the inflation rate in the Texas Register.

21       SECTION 2. The change in law made by this Act applies only  
22 to the adoption of a budget by a municipality or county for a fiscal  
23 year that begins on or after the effective date of this Act.

24       SECTION 3. This Act takes effect September 1, 2021.