

AN ACT

relating to the age limit for a beginning position in a police department under municipal civil service.

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

SECTION 1. Section 143.023(c), Local Government Code, is repealed.

SECTION 2. The heading to Section 143.083, Local Government Code, is amended to read as follows:

Sec. 143.083. EMERGENCY APPOINTMENT OF TEMPORARY FIRE FIGHTERS [~~AND POLICE OFFICERS~~].

SECTION 3. Section 143.083(a), Local Government Code, is amended to read as follows:

(a) If a municipality is unable to recruit qualified fire fighters [~~or police officers~~] because of the maximum age limit prescribed by Section 143.023 and the municipality's governing body finds that this inability creates an emergency, the commission shall recommend to the governing body additional rules governing the temporary employment of persons who are 36 years of age or older.

SECTION 4. Section 143.084, Local Government Code, is amended to read as follows:

Sec. 143.084. CIVIL SERVICE STATUS AND PENSION BENEFITS FOR CERTAIN FIRE FIGHTERS [~~AND POLICE OFFICERS~~]. (a) Each fire fighter [~~or police officer~~] who, since December 31, 1969, has been

1 continuously employed as a temporary employee under the provision  
2 codified as Section 143.083 has the full status of a civil service  
3 employee with all the rights and privileges granted by Section  
4 143.005.

5 (b) A fire fighter [~~or police officer~~] covered by Subsection  
6 (a) is eligible to participate in earned pension benefits. The  
7 person may buy back service credits in the pension fund in which the  
8 permanent fire fighters [~~or police officers~~] in the department have  
9 participated since that person's employment. The credits may be  
10 bought at a rate determined by the actuary of the affected pension  
11 fund.

12 SECTION 5. Section 143.084, Local Government Code, as  
13 amended by this Act, does not affect the civil service status or  
14 eligibility for pension benefits of a police officer to whom that  
15 section applied immediately before the effective date of this Act.  
16 The civil service status and eligibility for pension benefits of a  
17 police officer to whom that section applied is governed by the law  
18 in effect immediately before the effective date of this Act, and the  
19 former law is continued in effect for that purpose.

20 SECTION 6. This Act takes effect September 1, 2023.

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 1661 was passed by the House on April 28, 2023, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

---

Chief Clerk of the House

I certify that H.B. No. 1661 was passed by the Senate on May 19, 2023, by the following vote: Yeas 31, Nays 0.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor