

1-1 By: Burns (Senate Sponsor - King) H.B. No. 1661  
 1-2 (In the Senate - Received from the House May 1, 2023;  
 1-3 May 2, 2023, read first time and referred to Committee on Criminal  
 1-4 Justice; May 17, 2023, reported favorably by the following vote:  
 1-5 Yeas 7, Nays 0; May 17, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Whitmire	X			
1-8 Flores	X			
1-9 Bettencourt	X			
1-10 Hinojosa	X			
1-11 Huffman	X			
1-12 King	X			
1-13 Miles	X			

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to the age limit for a beginning position in a police  
 1-18 department under municipal civil service.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 143.023(c), Local Government Code, is  
 1-21 repealed.

1-22 SECTION 2. The heading to Section 143.083, Local Government  
 1-23 Code, is amended to read as follows:

1-24 Sec. 143.083. EMERGENCY APPOINTMENT OF TEMPORARY FIRE  
 1-25 FIGHTERS [~~AND POLICE OFFICERS~~].

1-26 SECTION 3. Section 143.083(a), Local Government Code, is  
 1-27 amended to read as follows:

1-28 (a) If a municipality is unable to recruit qualified fire  
 1-29 fighters [~~or police officers~~] because of the maximum age limit  
 1-30 prescribed by Section 143.023 and the municipality's governing body  
 1-31 finds that this inability creates an emergency, the commission  
 1-32 shall recommend to the governing body additional rules governing  
 1-33 the temporary employment of persons who are 36 years of age or  
 1-34 older.

1-35 SECTION 4. Section 143.084, Local Government Code, is  
 1-36 amended to read as follows:

1-37 Sec. 143.084. CIVIL SERVICE STATUS AND PENSION BENEFITS FOR  
 1-38 CERTAIN FIRE FIGHTERS [~~AND POLICE OFFICERS~~]. (a) Each fire fighter  
 1-39 [~~or police officer~~] who, since December 31, 1969, has been  
 1-40 continuously employed as a temporary employee under the provision  
 1-41 codified as Section 143.083 has the full status of a civil service  
 1-42 employee with all the rights and privileges granted by Section  
 1-43 143.005.

1-44 (b) A fire fighter [~~or police officer~~] covered by Subsection  
 1-45 (a) is eligible to participate in earned pension benefits. The  
 1-46 person may buy back service credits in the pension fund in which the  
 1-47 permanent fire fighters [~~or police officers~~] in the department have  
 1-48 participated since that person's employment. The credits may be  
 1-49 bought at a rate determined by the actuary of the affected pension  
 1-50 fund.

1-51 SECTION 5. Section 143.084, Local Government Code, as  
 1-52 amended by this Act, does not affect the civil service status or  
 1-53 eligibility for pension benefits of a police officer to whom that  
 1-54 section applied immediately before the effective date of this Act.  
 1-55 The civil service status and eligibility for pension benefits of a  
 1-56 police officer to whom that section applied is governed by the law  
 1-57 in effect immediately before the effective date of this Act, and the  
 1-58 former law is continued in effect for that purpose.

1-59 SECTION 6. This Act takes effect September 1, 2023.

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