

## **BILL ANALYSIS**

C.S.H.B. 3134  
By: Olivo  
County Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, only counties with populations over 500,000 may create a sheriff civil service system. Counties with smaller populations only have the authority to create civil service systems for all county employees.

When a sheriff's office employee is involved in a labor related complaint, his or her only recourse is through the courts when the department resides in a county of less than 500,000. A civil service system for sheriff's office employees would provide an outlet for these disputes without necessitating a lawsuit.

CSHB 3134 would grant the commissioners courts in counties with population between 250,000 and 500,000 the authority to create a civil service system for sheriff's departments only.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

CSHB 3134 adds subsection (a) and (b) to Section 158.032, Local Government Code to allow for the creation of a civil service system in counties with a population of more than 500,000.

CSHB 3134 allows for the commissioners court to create a civil service system under Section 158.002 specifically for the sheriff's department.

### **EFFECTIVE DATE**

This Act takes effect September 1, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The original version of HB 3134 allows the creation of a civil service system, if one half (fifty percent) of the employees of a sheriff's department signs a petition, thereby allowing the commissioner's court to vote on whether to create the system no later than 30 days after the date the court received the petition. CSHB 3134 amends the Sec. 158.032, Local Government Code allowing the creation of a civil service system under Sec. 158.002 to be specific to only the employees of the sheriff's department of the county. HB 3134 allows for a petition of at least 50 percent of the employees of the department in Section 158.032, subsection (b), whereas CSHB 3134 leaves the current law to state 20 percent of the employees to petition but amends Section 158.033, subsection (a) to be specific to a sheriff's department. HB 3134 does not amend Section 158.034, whereas CSHB 3134 adds the authority of the commissions court to be able to order the creation of a sheriff's department civil service system.