

BILL ANALYSIS

Senate Research Center

H.B. 150
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Intergovernmental Relations
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, a citizen appointed to a civil service commission in a municipality may not have held a public office during the three years prior to appointment. When this section of the Local Government Code was passed by the Legislature in 1987, the legislature's intent was to prevent political influence from entering the civil service process. This language, however, prevents the reappointment of a commissioner who has held public office in the previous year by serving on the civil service commission.

H.B. 150 amends the Local Government Code to allow a municipality to reappoint a commission member to consecutive terms.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 143.006, Local Government Code, by adding Subsections (c-1), (c-2), and (c-3), as follows:

(c-1) Authorizes the municipality's chief executive to reappoint a [civil service] commission member to consecutive terms, notwithstanding Subsection (c)(5). Prohibits a commission member from being reappointed to more than a third consecutive term unless the member's reappointment to a fourth or subsequent consecutive term is confirmed by a two-thirds majority of all the members of the municipality's governing body.

(c-2) Provides that Subsection (c)(5) does not prohibit the municipality's chief executive from appointing a former commission member to the commission if the only public office held by the former member within the preceding three years is membership on the commission or the commission and the municipality's civil service board for employees other than police officers and firefighters through a joint appointment to the commission and board.

(c-3) Provides that Subsections (c-1) and (c-2) do not apply to a municipality with a population of 1.5 million or more.

SECTION 2. Effective date: upon passage or September 1, 2005.