

BILL ANALYSIS

C.S.H.B. 3409
By: Rose
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Section 142.002, Local Government Code, limits the availability of a municipality to adopt civil service for police and fire fighters employed by the municipality to those cities with a population of 10,000 or greater along with other requirements. Currently, a municipality that had not reached the 10,000 population plateau before the decennial census would not be eligible to adopt Chapter 143 until the next decennial census though population growth would otherwise make the municipality eligible.

C.S.H.B. 3409 authorizes a municipality to adopt civil service based on the most recent census data as determined by either the state demographer or federal decennial census.

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

C.S.H.B. 3409 amends Section 143.002, Government Code, to define population within the section as determined by the most recent federal decennial census or the annual population estimate provided by the state demographer under Chapter 468, Government Code, whichever estimate is most recent. If the population of the municipality changes so that the no longer meets the population requirement, the municipality is not affected.

EFFECTIVE DATE

This Act takes effect September 1, 2005 or immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute adds that the population requirement be based on the estimate of the state demographer rather than the annually updated federal census and adds that if a municipality drops below the 10,000 population requirement based on the most recent estimate, the municipality is still eligible to adopt Chapter 143.