

By: Smithee

H.B. No. 336

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the declination of compensation by a candidate for  
3 constable.

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

5 SECTION 1. Subchapter D, Chapter 152, Local Government  
6 Code, is amended by adding Section 152.0525 to read as follows:

7 Sec. 152.0525. CANDIDATE FOR CONSTABLE MAY DECLINE  
8 COMPENSATION. (a) In this section, "compensation" includes salary  
9 paid and benefits provided to a person for that person's service as  
10 an officer.

11 (b) A person who is a candidate for constable may, at any  
12 time before the election, file with the county clerk an affidavit  
13 stating that the person elects to decline the compensation that  
14 would be paid to the person during the following term of office for  
15 the person's service as constable if the person were elected to the  
16 office of constable. The county clerk promptly shall send a copy of  
17 the affidavit to the county payroll officer.

18 (c) If a person who declines compensation under Subsection  
19 (b) is elected to the office of constable for the term of office for  
20 which compensation was declined, the declination takes effect on  
21 the date the person takes office and continues in effect for that  
22 term of office. The officer may not revoke the declination during  
23 that term of office.

24 SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2005.