

By: Bailey

H.B. No. 2865

A BILL TO BE ENTITLED

AN ACT

relating to the termination or suspension of deputy constables in certain counties upon the election or appointment of a constable or the death of a constable.

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

SECTION 1. The heading to Chapter 160, Local Government Code, is amended to read as follows:

CHAPTER 160. POLICIES [~~GRIEVANCE PROCEDURE~~]

FOR COUNTY EMPLOYEES

SECTION 2. Chapter 160, Local Government Code, is amended by designating Sections 160.001 through 160.007 as Subchapter A and adding a heading for Subchapter A to read as follows:

SUBCHAPTER A. GRIEVANCE PROCEDURE FOR COUNTY EMPLOYEES

SECTION 3. Chapter 160, Local Government Code, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. TERMINATION OR SUSPENSION OF

DEPUTY CONSTABLES

Sec. 160.051. DEFINITION. In this subchapter, "termination or suspension" means:

(1) the revocation of a deputy constable's appointment; or

(2) the temporary, indefinite, or permanent suspension from duty of a deputy constable.

Sec. 160.052. TERMINATION OR SUSPENSION. (a) A deputy

1 constable may not be suspended or terminated except for just cause.

2 (b) A deputy constable shall be notified, in writing, of the
3 termination or suspension. The notification must identify the
4 reasons for the termination or suspension.

5 (c) A deputy constable, other than the rank of lieutenant
6 and above, may not be terminated or suspended because of:

7 (1) the election or appointment of a new constable;

8 (2) the expiration of a constable's term of office; or

9 (3) the death of a constable.

10 Sec. 160.053. COUNTIES AND DEPUTY CONSTABLES AFFECTED.

11 This subchapter applies only to a county with a population of more
12 than three million.

13 SECTION 4. This Act takes effect September 1, 2005.