

By: Van de Putte

S.B. No. 863

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the administration of promotional examinations to
3 certain firefighters and police officers who are members of the
4 armed forces on active duty.

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

6 SECTION 1. Section 143.032, Local Government Code, is
7 amended by amending Subsection (b) and adding Subsection (j) to
8 read as follows:

9 (b) Except as provided by Subsection (j), each ~~[Each]~~
10 eligible promotional candidate shall be given an identical
11 examination in the presence of the other eligible promotional
12 candidates.

13 (j) If an eligible promotional candidate who is serving on
14 active military duty is unable to take the examination in the
15 presence of the other eligible promotional candidates because of
16 circumstances related to the candidate's service on active military
17 duty, the candidate may take the examination outside of the
18 presence of the other candidates and at a different time than the
19 other candidates. The commission may adopt rules under Subsection
20 (a) providing for the efficient administration of promotional
21 examinations to eligible promotional candidates who are members of
22 the armed forces serving on active military duty. The rules shall
23 require that, if a candidate serving on active military duty takes a
24 promotional examination outside the presence of other candidates

1 and passes the examination, the candidate's name shall be included
2 in the eligibility list of names of promotional candidates who took
3 and passed the identical examination.

4 SECTION 2. Subsection (c), Section 143.028, Local
5 Government Code, is repealed.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2005.