

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 21, 2005

TO: Honorable Robert Talton, Chair, House Committee on Urban Affairs

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB1151 by Gonzales (Relating to the consideration of a person's age in determining the person's eligibility for a position in a fire or police department in certain municipalities.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend Chapter 143 of the Local Government Code to prohibit a fire fighters' and police officers' civil service commission from establishing a maximum age at which an individual may be eligible for a position with the fire or police department, and would repeal other maximum age requirements. The bill would take effect immediately if it receives the required two-thirds vote in each house; otherwise, it would take effect September 1, 2005.

Under current statute, a commission is authorized to set a minimum and a maximum age for applicants for beginning and promotional positions. In addition, current statute prohibits from eligibility for a fire department beginning position an individual who is 36 years old or older. Existing statute also prohibits a person age 45 or older from being certified for a beginning position with a police department and prohibits a person between the ages of 36 and 45 from becoming certified as eligible for a beginning police position unless that person has at least five years' experience as a peace officer or at least five years' military experience.

Local Government Impact

Affected police and fire departments would have to update their application materials, informational materials, and department manuals to remove references to maximum age restrictions.

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, DLBa