

By: Duncan

S.B. No. 1243

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the number of persons who may be appointed to the  
3 classification immediately below department head in a police  
4 department covered by municipal civil service.

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

6 SECTION 1. Section 143.014(c), Local Government Code, is  
7 amended to read as follows:

8 (c) In a police department, the total number of persons  
9 appointed to the classification immediately below that of  
10 department head may not exceed the total number of persons, plus  
11 one, serving in that classification on January 1, 1993 [~~1983~~]. In a  
12 fire department in a municipality having fewer than 300 certified  
13 fire fighters, the department head may appoint not more than one  
14 person to the classification immediately below that of department  
15 head. If a municipality has 300 to 600 certified fire fighters, the  
16 department head may appoint two persons to the classification. If a  
17 municipality has more than 600 certified fire fighters, the  
18 department head may appoint three persons to the classification.  
19 This subsection does not apply to a municipality that has adopted  
20 Chapter 174 [~~The Fire and Police Employee Relations Act (Article~~  
21 ~~5154c-1, Vernon's Texas Civil Statutes)~~] unless the municipality  
22 specifically adopts the appointment procedure prescribed by this  
23 subsection through the collective bargaining process.

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, 2007.