

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 15, 2007**

**TO:** Honorable Wayne Smith, Chair, House Committee on County Affairs

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

**IN RE: HB2321** by Olivo (Relating to determining population for the creation of civil service systems in certain counties.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend Chapter 158, Local Government Code, to adjust the population criteria for which counties would be eligible for creating a county civil service system for all county employees not otherwise exempted from the system and for county sheriff's offices.

Under current statute, a county with a population of 200,000 or more may create a civil service system for all applicable county employees, and a county sheriff's department in a county with a population of 500,000 or more may create a civil service system. Populations to which statutes apply, unless otherwise indicated, refer to the population of the most recent federal decennial census. Under the provisions of the bill, for the purpose of forming a county civil service system for county employees or a sheriff's department, the county population of 200,000 or 500,000 would be determined by either the most recent federal census or the annual population estimate provided by the state demographer if that estimate is more recent than the federal census.

Additionally, if a county's population were to change and the county no longer meets the specified population requirement, the civil service system would continue to apply to the county or sheriff's department.

**Local Government Impact**

The proposed change in statute would prevent a county or a county sheriff's department that currently operates a civil service system under the chapter from having to discontinue the system if the county's population were to decrease below the minimum required for eligibility. In addition, a county's annual population estimate provided by the state demographer could reflect a population size that would allow a county to become eligible sooner to adopt a system than when the next federal decennial census is published.

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

**Source Agencies:**

**LBB Staff:** JOB, DB