

## **BILL ANALYSIS**

H.B. 4522  
By: Phillips  
County Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Provisions of the Transportation Code state that if a county traffic officer fails to enforce the law, a district engineer is authorized to report the officer to the commissioners court, where a hearing will determine the officer's fate. The court, on its own initiative or on the recommendation of the sheriff, can also report the officer.

H.B. 4522 strikes provisions authorizing the district engineer of the Texas Department of Transportation (TxDOT) district in which a county traffic officer operates, if the county traffic officer fails to perform the officer's duty to enforce the law, to send a written, signed complaint to the commissioners court; requiring the court to hold a hearing and summon the officer; and discharge the officer and employ another if the court determines at the hearing that the officer has not performed the officer's duty. The bill repeals a provision requiring a TxDOT district engineer to advise a county traffic officer on enforcement of state laws regulating highway traffic.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 4522 amends the Transportation Code to strike provisions authorizing the district engineer of the Texas Department of Transportation (TxDOT) district in which a county traffic officer operates, if the county traffic officer fails to perform the officer's duty to enforce the law, to send a written, signed complaint to the commissioners court; requiring the court to hold a hearing and summon the officer; and discharge the officer and employ another if the court determines at the hearing that the officer has not performed the officer's duty.

H.B. 4522 repeals Section 701.002(b), Transportation Code, relating to a duty of a district engineer of a TxDOT district in regard to advising a county traffic officer on enforcement of highway traffic laws.

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.