

By: Madden

H.B. No. 3906

A BILL TO BE ENTITLED

AN ACT

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

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

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

(c) In a police department in a municipality having fewer than 300 police officers, the department head may appoint not more than one person to the classification immediately below that of the department head. If a municipality has 300 to 600 police officers, the department head may appoint two persons to the classification. If a municipality has more than 600 police officers, the department head may appoint three persons to the classification [~~the total number of persons appointed to the classification immediately below that of department head may not exceed the total number of persons, plus one, serving in that classification on January 1, 1983~~]. In a fire department in a municipality having fewer than 300 certified fire fighters, the department head may appoint not more than one person to the classification immediately below that of department head. If a municipality has 300 to 600 certified fire fighters, the department head may appoint two persons to the classification. If a municipality has more than 600 certified fire fighters, the department head may appoint three persons to the classification.

1 This subsection does not apply to a municipality that has adopted  
2 Chapter 174 [~~The Fire and Police Employee Relations Act (Article~~  
3 ~~5154c-1, Vernon's Texas Civil Statutes)~~] unless the municipality  
4 specifically adopts the appointment procedure prescribed by this  
5 subsection through the collective bargaining process.

6 SECTION 2. 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, 2009.