

By: Carona

S.B. No. 376

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the powers and duties of the Texas Department of  
3 Transportation related to county traffic officers.

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

5 SECTION 1. Section 701.006, Transportation Code, is amended  
6 to read as follows:

7 Sec. 701.006. [~~COMPLAINT; HEARING;~~] DISMISSAL. [~~(a) If~~  
8 ~~a county traffic officer fails to perform the officer's duty to~~  
9 ~~enforce the law, the district engineer of the Texas Department of~~  
10 ~~Transportation district in which the officer operates may send a~~  
11 ~~written, signed complaint to the commissioners court.~~

12 [~~(b) On receipt of the complaint, the commissioners court~~  
13 ~~shall hold a hearing and summon the officer to appear before it.~~

14 [~~(c) If the commissioners court determines at the hearing~~  
15 ~~that the officer has not performed the officer's duty, the~~  
16 ~~commissioners court shall immediately discharge the officer and~~  
17 ~~promptly employ another officer.~~

18 [~~(d)~~] The commissioners court on its own initiative, or on  
19 recommendation of the sheriff, may dismiss a county traffic officer  
20 if the officer is no longer needed or if the officer's service is  
21 unsatisfactory.

22 SECTION 2. Subsection (b), Section 701.002, Transportation  
23 Code, is repealed.

24 SECTION 3. This Act takes effect immediately if it receives

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, 2009.