

By: Gallegos

S.B. No. 1555

A BILL TO BE ENTITLED

AN ACT

relating to the conditions of employment for firefighters employed by certain airport districts; providing penalties.

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

SECTION 1. Subtitle C, Title 5, Local Government Code, is amended by adding Chapter 179 to read as follows:

CHAPTER 179. CONDITIONS OF EMPLOYMENT FOR FIREFIGHTERS OF  
CERTAIN AIRPORT DISTRICTS

Sec. 179.001. APPLICABILITY. (a) This chapter applies to a fire department of and firefighters employed by an airport district created by an interlocal agreement between two or more political subdivisions of this state.

(b) For purposes of this section, a reference to a municipality or a municipal official in a provision of law made applicable by this chapter to a district described by Subsection (a) is considered to be a reference to the district or the official of the district responsible for the performance of the duty to which the provision applies.

Sec. 179.002. DEFINITION. In this chapter, "firefighter" means a person defined as fire protection personnel under Section 419.021, Government Code.

Sec. 179.003. PAYROLL DEDUCTIONS; LONGEVITY PAY; CLASSIFICATION PAY; PENALTY. (a) Sections 141.008, 141.032, and 141.033 apply to a firefighter employed by an employer covered by

1 this chapter.

2 (b) The penalty under Section 141.035 applies to a person  
3 who is in charge of the fire department under this section or who is  
4 responsible for setting the compensation for firefighters employed  
5 by an employer covered by this chapter.

6 Sec. 179.004. ASSISTANCE; BENEFITS; WORKING CONDITIONS;  
7 PENALTY. Sections 142.001, 142.0013, 142.0015, 142.0016, 142.004,  
8 142.009, and 142.010 apply to a firefighter employed by an employer  
9 covered by this chapter.

10 Sec. 179.005. CIVIL SERVICE. (a) An airport district to  
11 which this chapter applies is considered to have adopted Chapter  
12 143 as it applies to the airport district's fire department in the  
13 same manner as a municipality with a population of less than 1.5  
14 million to which that chapter applies, and Subchapters A-F, Chapter  
15 143, apply to the district's fire department.

16 (b) Each firefighter who has been in the service of the  
17 airport district for more than six months at the time this chapter  
18 first becomes applicable to the airport district and who is  
19 entitled to civil service classification has the status of a civil  
20 service employee and is not required to take a competitive  
21 examination to remain in the position the person occupies at the  
22 time this chapter first becomes applicable to the airport district.

23 (c) The Fire Fighters' Civil Service Commission is  
24 established in each airport district subject to this chapter. The  
25 chief operative officer of the airport district shall appoint the  
26 members of the commission within 60 days after the date this chapter  
27 first becomes applicable to the airport district. Within 30 days

1 after the date the airport district's first full fiscal year begins  
2 after the date this chapter first becomes applicable to the airport  
3 district, the governing body of the airport district shall  
4 implement this chapter.

5 (d) The office of Director of Fire Fighters' Civil Service  
6 is established in each airport district subject to this chapter.  
7 The commission shall appoint the director. The director shall  
8 serve as secretary to the commission and perform work incidental to  
9 the civil service system as required by the commission. The  
10 commission may remove the director at any time.

11 SECTION 2. (a) On the effective date of this Act, Chapter  
12 179, Local Government Code, as added by this Act, first becomes  
13 applicable to an existing airport district.

14 (b) An airport district to which Chapter 143, Local  
15 Government Code, is, without regard to the holding of an election,  
16 applicable because of the change in law made by this Act shall  
17 implement a civil service system in the municipality in accordance  
18 with the terms of Subchapters A-F, Chapter 143, Local Government  
19 Code, and in accordance with Chapter 179, Local Government Code, as  
20 added by this Act.

21 SECTION 3. This Act takes effect September 1, 2009.