

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 4, 2009

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

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

IN RE: HB2508 by Castro (Relating to the sheriff's department civil service system in certain counties; imposing a criminal penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend Chapter 158, Local Government Code, including adding Subchapter C regarding civil service procedures in a sheriff's office located in certain counties. In particular, the bill would provide procedures to be followed in conducting internal investigations. In addition, the bill would require the affected sheriffs' offices to allow an employee to have legislative leave without pay to appear before or to petition a governmental body during a regular or special session of the body, and to set up a legislative leave account.

The bill would require the civil service commission in the affected counties to retain special counsel for the purpose of advising or representing the commission as determined by the commission. The county commissioners court would be required to include in the annual county budget a reasonable amount of funding, on the request of the civil service commission, to employ special counsel.

The bill would repeal sections of Chapter 158 that would otherwise be in conflict with the new subchapter.

Included in the requirements would be a penalty for a violation of the subchapter, which would result in a fine of not less than \$500 or more than \$1,000, confinement in county jail for not more than 30 days, or both.

Local Government Impact

Costs to the counties would depend on the number of internal investigations that are conducted, the outcome of those investigations, and if an appeal of a decision occurs, the outcome of that appeal. In addition, the affected counties would incur the cost of employing a special counsel. Revenue gain resulting from any fines imposed would depend on the number of offenses, as would costs associated with any jail time imposed on a violator. There would also be some administrative costs associated with establishing and maintaining a legislative leave account.

Source Agencies:

LBB Staff: JOB, DB