

By: Castro

H.B. No. 1191

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the sheriff's department civil service commission  
3 appointments in certain counties.

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

5 SECTION 1. Section 158.034, Local Government Code, is  
6 amended by amending Subsections (a) and (c) and adding Subsection  
7 (a-1) to read as follows:

8 (a) Subject to Subsection (a-1), in [~~In~~] a county with a  
9 population of less than 2.8 million, if a majority of the employees  
10 voting at the election approve the creation of a sheriff's  
11 department civil service system, the sheriff, commissioners court,  
12 and district attorney shall each appoint one person to serve as a  
13 member of the civil service commission that administers the system.  
14 In a county with a population of 2.8 million or more, if a majority  
15 of the employees voting at the election approve the creation of a  
16 sheriff's department civil service system, the sheriff,  
17 commissioners court, and district attorney shall each appoint two  
18 persons to serve as members of the civil service commission that  
19 administers the system, and the three appointing authorities shall  
20 appoint one member by joint action requiring the affirmative vote  
21 of each of the authorities.

22 (a-1) If the county has a population of one million or more  
23 and more than 80 percent of the population resides in a single  
24 municipality, the sheriff shall appoint two persons to serve as

1 members of the civil service commission that administers the  
2 system, and the commissioners court, district attorney, and  
3 employee organization representing the majority of sheriff's  
4 department employees shall each appoint one person.

5 (c) Each member of the commission is appointed for a term of  
6 two years. However, the initial members of the commission in a  
7 county with a population of less than 2.8 million shall determine by  
8 lot which two of them will serve a term of two years and which one of  
9 them will serve a term of one year. In a county described by  
10 Subsection (a-1), the initial members of the commission shall  
11 determine by lot which three of them will serve a term of two years  
12 and which two of them will serve a term of one year. In a county  
13 with a population of 2.8 million or more:

14 (1) the initial member appointed jointly under  
15 Subsection (a) serves a term of two years; and

16 (2) the initial members appointed by each individual  
17 appointing authority shall determine by lot which one of the two  
18 initial members appointed by the appointing authority will serve a  
19 term of two years and which initial member appointed by that  
20 authority will serve a term of one year.

21 SECTION 2. In a county to which Section 158.034(a-1), Local  
22 Government Code, as added by this Act, applies and in which a  
23 sheriff's department civil service system commission exists before  
24 the effective date of this Act, the sheriff and the employee  
25 organization shall each appoint one member to the commission. The  
26 five members composed of the current three members and the two new  
27 members shall then determine by agreement or lot which three of them

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1 will serve a term of two years and which two of them will serve a  
2 term of one year.

3 SECTION 3. This Act takes effect September 1, 2011.