

By: Watson

S.B. No. 1351

A BILL TO BE ENTITLED

AN ACT

relating to the civil service status of emergency medical services
personnel in certain municipalities.

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

SECTION 1. Chapter 143, Local Government Code, is amended
by adding Subchapter K to read as follows:

SUBCHAPTER K. CIVIL SERVICE STATUS OF EMERGENCY MEDICAL SERVICES
PERSONNEL IN CERTAIN MUNICIPALITIES

Sec. 143.401. APPLICABILITY. (a) This subchapter applies
only to a municipality:

(1) with a population of 460,000 or more that operates
under a city manager form of government; and

(2) that employs emergency medical services personnel
in a municipal department other than the fire department.

(b) In this subchapter, "emergency medical services
personnel" has the meaning assigned by Section 773.003, Health and
Safety Code. The term applies only to an individual certified under
Chapter 773, Health and Safety Code.

Sec. 143.402. ELECTION TO ADOPT OR REPEAL SUBCHAPTER. (a)
A municipality may hold an election to adopt or repeal this
subchapter as provided by this section.

(b) If the governing body of the municipality receives a
petition requesting an election that is signed by a number of
registered voters who reside in the municipality equal to at least

1 10 percent of the number of voters who voted in the most recent
2 municipal general election, the governing body shall order an
3 election submitting to the voters the question of whether this
4 subchapter should be adopted. The election must be held on the first
5 authorized uniform election date prescribed by Chapter 41, Election
6 Code, that occurs after the petition is filed and that allows
7 sufficient time to comply with other requirements of law.

8 (c) The ballot shall be printed to provide for voting for or
9 against the proposition: "Adoption of the emergency medical
10 services personnel civil service law." If a majority of the votes
11 received in the election favor adoption of this subchapter, the
12 governing body shall implement this subchapter.

13 (d) A petition for a subsequent election to be held under
14 Subsection (b) may not be filed for at least one year after the date
15 of a previous election under that subsection. To be valid, a
16 petition for a subsequent election must contain the signatures of a
17 number of registered voters who reside in the municipality equal to
18 at least 20 percent of the number of voters who voted in the most
19 recent municipal general election. Any subsequent election must be
20 held at the next municipal general election that occurs after the
21 petition is filed.

22 (e) If the governing body of a municipality that has
23 operated under this subchapter for at least one year receives a
24 petition requesting an election to repeal this subchapter that is
25 signed by at least 10 percent of the registered voters who reside in
26 the municipality, the governing body shall order an election
27 submitting to the voters the question of whether this subchapter

1 should be repealed. If a majority of the votes received favor repeal
2 of this subchapter, this subchapter is void in that municipality.

3 Sec. 143.403. STATUS OF EMPLOYEES IF SUBCHAPTER ADOPTED.

4 (a) Each person who is employed for more than six months as
5 emergency medical services personnel serving in a municipality at
6 the time this subchapter is adopted in the municipality and who is
7 entitled to civil service classification has the status of a civil
8 service employee and is not required to take a competitive
9 examination to remain in the position the person occupies at the
10 time of the adoption.

11 (b) On adoption of this subchapter, the governing body of
12 the municipality employing emergency medical services personnel
13 shall classify the personnel in accordance with Section 143.021 and
14 the duties performed by the personnel.

15 (c) To the extent it can be made applicable, each provision
16 of this chapter, including the provisions relating to eligibility
17 lists, examinations, promotions, appointments, educational
18 incentive pay, longevity or seniority pay, certification pay,
19 assignment pay, salary, vacation leave, and disciplinary appeals,
20 applies to emergency medical services personnel covered by this
21 subchapter.

22 SECTION 2. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2011.