

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 10, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2430 by Martinez, "Mando" (Relating to an appeal by a deputy sheriff under county civil service to an independent third-party hearing examiner.), **As Introduced**

<p>No fiscal implication to the State is anticipated.</p>
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The bill would amend Subchapters A and B, Chapter 158 of the Local Government Code to create an independent third-party appeals process for a deputy sheriff under county civil service commission to pursue in response to certain disciplinary actions taken by the sheriff's office for which the deputy works. The party who loses the appeal would be liable for the hearing examiner's fees and expenses, and the costs of a witness would be paid by the party who calls the witness. A district court would be authorized to hear an appeal of a hearing examiner's award based only on certain grounds in the court that has jurisdiction in which the department is located.

Subchapter A applies to a county with a population of 190,000 or more, and Subchapter B applies to a county with a population of 500,000 or more.

Local Government Impact

There could be a negative fiscal impact to an applicable county to implement the additional procedures and if a county lost an appeal; however, the amounts would vary by county depending on the number of cases appealed; court costs and arbitration fees; and the outcome of an appeal. A county required to pay for third-party hearing examiners could cost an estimated \$1,000 to \$2,000 per day.

Travis County indicated the affected departments do not anticipate a fiscal impact since the county does not employ third-party hearings examiners.

Source Agencies:

LBB Staff: UP, KKR, SD, TP