

By: Huffines

S.B. No. 1681

A BILL TO BE ENTITLED

AN ACT

relating to police chiefs of certain municipalities.

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

SECTION 1. Subtitle A, Title 5, Local Government Code, is amended by adding Chapter 148 to read as follows:

CHAPTER 148. POLICE CHIEFS OF CERTAIN MUNICIPALITIES

Sec. 148.001. APPLICABILITY. In this chapter, the term "municipality" means a municipality with a population of more than 5,000.

Sec. 148.002. OATH. A person appointed as the police chief of a municipality, before beginning to perform the duties of office, must take and subscribe the official oath.

Sec. 148.003. QUALIFICATIONS. A person is not eligible to serve as a police chief unless the person:

(1) has a high school diploma or a high school equivalency certificate; and

(2) is eligible to be licensed under Sections 1701.309 and 1701.312, Occupations Code.

Sec. 148.004. CONTINUING EDUCATION. A police chief subject to this chapter shall fulfill all of the continuing education requirements of Section 96.641, Education Code.

Sec. 148.005. RETENTION ELECTIONS. After the 60th day after a person is appointed as the police chief of a municipality, the person shall be subject to a nonpartisan election at the

1 upcoming May or November general election, whichever occurs first,
2 to determine whether the person shall retain the office. If the
3 person is retained, the person shall be subject to another
4 retention election the second November after the first election and
5 every two years thereafter.

6 SECTION 2. For the purposes of Section 148.005, Local
7 Government Code, as added by this Act, service as a police chief
8 before January 1, 2016, is not counted in determining whether a
9 person has served as police chief of the same municipality for eight
10 years.

11 SECTION 3. This Act takes effect on the date on which the
12 constitutional amendment proposed by the 84th Legislature, Regular
13 Session, 2015, providing for retention elections for police chiefs
14 of certain municipalities takes effect. If that amendment is not
15 approved by the voters, this Act has no effect.