

## **BILL ANALYSIS**

Senate Research Center  
86R23214 NC-D

H.B. 1927  
By: Herrero (Hinojosa)  
State Affairs  
5/16/2019  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law requires a county judge to fill a vacancy on a commissioners court when one occurs to serve until the next general election. However, there is no timeline in place to fill this position, raising concerns that commissioners courts could be left without adequate representation for long periods of time.

H.B. 1927 would amend Section 87.042, Local Government Code, by imposing a 60-day deadline for a county judge to fill a vacancy on a county commissioners court, and require a county commissioners court to fill the vacancy if the deadline is not met. The requirement is limited to counties with a population of 300,000 or more.

H.B. 1927 amends current law relating to the filling of a vacancy in the office of county commissioner in certain counties.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 87.042, Local Government Code, as follows:

Sec. 87.042. COUNTY COMMISSIONER VACANCY. (a) Creates an exception under Subsection (b), to the requirement that the county judge, if a vacancy occurs in the office of county commissioner, appoint a suitable resident of the precinct in which the vacancy exists to fill the vacancy until the next general election.

(b) Provides that this subsection applies only to a county with a population of more than 300,000. Requires the county judge, not later than the 60th day after the date a vacancy occurs in the office of county commissioner, to appoint a suitable resident of the precinct in which the vacancy exists to fill the vacancy until the next general election. Requires the commissioners court by majority vote, if the county judge does not make an appointment to fill the vacancy before the 61st day after the date the vacancy occurred, to appoint a suitable resident of the precinct in which the vacancy exists to fill the vacancy until the next general election.

SECTION 2. (a) Makes application of Section 87.042, Local Government Code, as amended by this Act, prospective.

(b) Provides that, for a vacancy in the office of county commissioner that occurred and has not been filled before the effective date of this Act and to which Section 87.042(b), Local Government Code, as added by this Act, applies:

(1) the county judge is required to appoint, not later than the 60th day after the effective date of this Act, a suitable resident of the precinct in which the vacancy exists to fill the vacancy until the next general election; and

(2) if the county judge does not make an appointment to fill the vacancy before the 61st day after the effective date of this Act, the commissioners court by majority vote is required to appoint a suitable resident of the precinct in which the vacancy exists to fill the vacancy until the next general election.

SECTION 3. Effective date: upon passage or September 1, 2019.