By:  Springer S.B. No. 43

A BILL TO BE ENTITLED

AN ACT

relating to the provision of state aid to certain counties for increased costs incurred when officers employed by the Department of Public Safety are reassigned to another area of the state to secure the border.

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

SECTION 1.  Subchapter Z, Chapter 130, Local Government Code, is amended by adding Section 130.911 to read as follows:

Sec. 130.911.  STATE AID TO CERTAIN COUNTIES ADVERSELY AFFECTED BY REASSIGNMENT OF CERTAIN LAW ENFORCEMENT OFFICERS FOR BORDER SECURITY. (a) This section applies only to a county that has a population of 100,000 or less.

(b)  A county that during the county's fiscal year incurs increased costs associated with operating the county sheriff's office because officers employed by the Department of Public Safety who were assigned to perform law enforcement duties in the county were reassigned to locations outside the county to secure the international border of this state with the United Mexican States is entitled to an assistance payment from the state.

(c)  The amount of the assistance payment to which a county is entitled is equal to the lesser of the following amounts:

(1)  the amount equal to the increased costs described by Subsection (b) during the county fiscal year for which the payment is requested; or

(2)  the amount equal to the product of:

(A)  the number of hours that officers employed by the Department of Public Safety would have spent performing law enforcement duties in the county during the county fiscal year for which the payment is requested if those officers had not been reassigned to locations outside the county for the purpose described by Subsection (b); and

(B)  the average hourly wage of a patrol officer employed by the Department of Public Safety during the county fiscal year for which the payment is requested.

(d)  A county must submit an application to the comptroller not later than the 30th day after the last day of the county fiscal year for which the assistance payment is requested to receive a payment under this section. The application must be made on a form prescribed by the comptroller.

(e)  The comptroller shall review each application to determine whether a county is entitled to an assistance payment under this section. If the comptroller determines that the county is entitled to the payment, the comptroller shall remit the payment from available funds to the county not later than the 30th day after the date the application for the payment is made. A county is entitled to only one assistance payment under this section for each county fiscal year.

(f)  The Department of Public Safety shall provide to the commissioners court of a county or the comptroller any information requested by the commissioners court or the comptroller, including information described by Subsection (c)(2)(B).

(g)  The comptroller shall adopt rules necessary to implement and administer this section.

SECTION 2.  Section 130.911, Local Government Code, as added by this Act, applies only to a county fiscal year that begins on or after January 1, 2022.

SECTION 3.  Not later than January 1, 2022, the comptroller of public accounts shall adopt rules as required by Section 130.911(g), Local Government Code, as added by this Act.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.