87R1280 SMT-D

By:  Krause H.B. No. 638

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain political subdivisions to adopt a budget that reduces the amount allocated to provide a fire protection, law enforcement, or emergency medical service.

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

SECTION 1.  Chapter 140, Local Government Code, is amended by adding Section 140.0046 to read as follows:

Sec. 140.0046.  LIMITATION ON AUTHORITY OF CERTAIN POLITICAL SUBDIVISIONS TO REDUCE BUDGET FOR PUBLIC SAFETY SERVICES. (a) In this section, "public safety service" means a fire protection, law enforcement, or emergency medical service.

(b)  This section does not apply to a school district.

(c)  Except as provided by Subsection (d), a political subdivision may not adopt a budget unless the political subdivision allocates money in that budget to provide for each public safety service in an amount equal to or greater than the amount allocated to provide for that service in the preceding fiscal year.

(d)  A political subdivision may adopt a budget that does not meet the requirements of Subsection (c) that relate to a public safety service if the political subdivision will not provide that service in the fiscal year for which the budget is adopted.

(e)  For purposes of this section, the amount allocated in a budget to provide a service includes all maintenance, operations, and debt service costs associated with providing the service.

SECTION 2.  The change in law made by this Act applies only to the adoption of a budget by a political subdivision for a fiscal year that begins on or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2021.