

By: Krause

H.B. No. 638

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of certain political subdivisions to  
3 adopt a budget that reduces the amount allocated to provide a fire  
4 protection, law enforcement, or emergency medical service.

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

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

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

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

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

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

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

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

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