

By: Jetton

H.B. No. 4052

A BILL TO BE ENTITLED

AN ACT

1
2 relating to voter approval of a county or municipal budget that
3 reduces by a certain percentage the amount allocated to train and
4 compensate individuals who provide a fire protection, law
5 enforcement, or emergency medical service.

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

7 SECTION 1. Chapter 140, Local Government Code, is amended
8 by adding Section 140.0047 to read as follows:

9 Sec. 140.0047. ELECTION REQUIRED FOR REDUCTION IN BUDGET
10 FOR PUBLIC SAFETY PERSONNEL EXPENSES. (a) In this section:

11 (1) "Public safety personnel expenses" means money
12 spent to train and compensate individuals who provide a public
13 safety service.

14 (2) "Public safety service" means a fire protection,
15 law enforcement, or emergency medical service.

16 (b) This section does not apply to the budget for a
17 municipal department that employs 20 or fewer public safety
18 personnel for a public safety service.

19 (c) If a county or municipality adopts a budget in which the
20 amount of money allocated for public safety personnel expenses for
21 a public safety service is less than the amount allocated for those
22 expenses in the preceding fiscal year by more than the sum of the
23 percentage by which the county's or municipality's total revenue is
24 reduced from the preceding fiscal year and five percent, the

1 registered voters of the county or municipality, as applicable, at
2 an election held for that purpose, must determine whether to
3 approve the amount allocated.

4 (d) The governing body of the county or municipality shall
5 order that the election be held in the county or municipality, as
6 applicable, on the earliest date that allows sufficient time to
7 comply with the requirements of other law for holding the election,
8 except Section 41.001(a), Election Code. Notwithstanding Section
9 41.001(a), Election Code, the county or municipality may hold the
10 election on a date other than a uniform election date.

11 (e) If a majority of votes cast in the election favor
12 approving the amount allocated for the public safety personnel
13 expenses, the budget is approved. If the amount allocated is not
14 approved, the governing body shall amend the budget by allocating
15 for the public safety personnel expenses an amount for the current
16 fiscal year that is not less than the amount allocated for those
17 expenses in the preceding fiscal year reduced by a percentage equal
18 to the sum of the percentage by which the county's or municipality's
19 total revenue is reduced from the preceding fiscal year and five
20 percent.

21 (f) For purposes of determining the amount of reduction of
22 the amount allocated in a budget for public safety personnel
23 expenses, reductions of the budget related to the termination of
24 personnel for bad conduct are not included.

25 SECTION 2. The change in law made by this Act applies only
26 to a budget adopted by a county or municipality on or after the
27 effective date of this Act.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2021.