By:  Guillen H.B. No. 18

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a grant program to provide financial assistance to qualified sheriff's departments in certain rural counties; making an appropriation.

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

ARTICLE 1. LEGISLATIVE FINDINGS

SECTION 1.01.  The legislature finds that:

(1)  the legislature acting with the governor has the solemn duty to protect the citizens of this state;

(2)  many rural counties of this state are experiencing rapid population growth due to the influx of individuals from metropolitan areas and from outside the state;

(3)  many of these individuals settle in developments like Colony Ridge in Liberty County, leading to population growth and population density previously unseen in these rural counties; and

(4)  the increases in population and density strain the resources of these rural counties to provide adequate public services to their citizens, particularly when it comes to providing law enforcement in unincorporated areas of the county.

ARTICLE 2. RURAL SHERIFF'S DEPUTY SHORTAGE RELIEF

SECTION 2.01.  Subchapter Z, Chapter 130, Local Government Code, is amended by adding Section 130.914 to read as follows:

Sec. 130.914.  RURAL SHERIFF'S DEPUTY SHORTAGE RELIEF GRANT PROGRAM. (a) In this section:

(1)  "Deputy-to-resident ratio" means the ratio of the number of deputy sheriffs to the number of residents of the unincorporated areas of the county, as determined by the population estimates provided by the state demographer under Section 468.004, Government Code.

(2)  "Grant" means a grant authorized to be awarded by the comptroller under the rural sheriff's deputy shortage relief grant program established by this section.

(3)  "Qualified county" means a county:

(A)  with a population of 300,000 or less; and

(B)  for which on January 1, 2024, the deputy-to-resident ratio is less than 15 to 10,000.

(4)  "Qualified deputy position" means a deputy sheriff position in a qualified county that:

(A)  is held or will be held by a deputy sheriff who makes motor vehicle stops in the routine performance of the deputy's duties;

(B)  is in addition to a deputy sheriff position held in the county on January 1, 2024; and

(C)  when aggregated with each other qualified deputy position would result in a deputy-to-resident ratio of 15 to 10,000, determined as of January 1, 2024.

(b)  The comptroller shall establish and administer the rural sheriff's deputy shortage relief grant program to support the state purpose of ensuring professional law enforcement throughout the state by providing financial assistance to sheriff's departments in qualified counties.

(c)  Not later than the 30th day after the first day of a qualified county's fiscal year, the county may submit an application for a grant to the comptroller. The county must indicate in the application the number of qualified deputy positions the county is requesting for inclusion in the determination of the amount of the grant for that fiscal year and the number for which the county is requesting additional funds described by Subsection (d)(2). A county may submit only one application each fiscal year.

(d)  Subject to Subsections (e), (f), and (j), the comptroller shall award a grant to a qualified county that applies for the grant using money appropriated to the comptroller for that purpose. The grant must be in the following amount:

(1)  $50,000 for each qualified deputy position indicated by the county in the application for that fiscal year; and

(2)  an additional $50,000 for each qualified deputy position indicated in the application for that fiscal year, unless the county has received a grant under this subdivision for that position in a preceding fiscal year.

(e)  This subsection applies only to a fiscal year of a qualified county that meets the deputy-to-resident ratio described by Subsection (a)(4)(C) during a calendar year that begins on or after January 1, 2024, but before the calendar year in which the fiscal year begins. A qualified county is not eligible to receive a grant under this section for a fiscal year unless the county adopts a budget for the fiscal year that provides for the employment of a number of deputy sheriffs necessary to meet the deputy-to-resident ratio of at least 15 to 10,000, determined as of January 1 of the calendar year in which the fiscal year begins.

(f)  This subsection applies only to a fiscal year of a qualified county for which the number of qualified deputy positions the county is otherwise entitled to receive a grant for under this section is greater than the number of qualified deputy positions the county would be entitled to receive a grant for under this section if the deputy-to-resident ratio described by Subsection (a)(4)(C) is determined as of January 1 of the calendar year in which the fiscal year begins instead of January 1, 2024. A qualified county is entitled to receive a grant under this section only for the number of qualified deputy positions the county would be entitled to receive a grant for if the deputy-to-resident ratio described by Subsection (a)(4)(C) is determined as of January 1 of the calendar year in which the fiscal year begins instead of January 1, 2024.

(g)  A county that is awarded a grant shall use or authorize the use of the grant money only:

(1)  to provide to each deputy sheriff who fills a qualified deputy position a minimum annual salary of at least $45,000; and

(2)  subject to Subsection (h), to purchase vehicles, firearms, and safety equipment for the use of a deputy sheriff who fills a qualified deputy position.

(h)  A county that is awarded a grant may not use or authorize the use of the grant money for a purpose other than prescribed by Subsection (g)(1) until that requirement is satisfied.

(i)  A county that is awarded a grant may not reduce the sheriff's department budget for the county's fiscal year following the fiscal year in which the comptroller awards the grant.

(k)  The total amount that may be used to provide grants under Subsection (d) may not exceed $50 million per fiscal year. If the total amount of grants to which the qualified counties are entitled under Subsection (d) for a fiscal year exceeds the amount permitted under this subsection, the comptroller shall proportionately reduce each qualified county’s grant award under this section by reducing the number of awards under Subsection (d)(1) and (d)(2).

(k)  The comptroller shall adopt rules necessary to implement this section, including rules that establish:

(1)  a standardized application process, including the form to be used to apply for a grant and the manner of submitting the form;

(2)  deadlines for:

(A)  applying for the grant;

(B)  disbursement of grant money; and

(C)  spending grant money; and

(3)  procedures for:

(A)  monitoring the disbursement of grant money to ensure compliance with this section; and

(B)  the return of grant money that was not used by a county for a purpose authorized by this section.

ARTICLE 3. APPROPRIATION

SECTION 3.01.  On the effective date of this Act, the amount of $100,000,000 is appropriated from the general revenue fund to the Fiscal Programs-Comptroller of Public Accounts for use during the two-year period beginning on the effective date of this Act for a use or purpose described by Section 130.914, Local Government Code, as added by this Act.

ARTICLE 4. TRANSITIONS AND EFFECTIVE DATE

SECTION 4.01.  A qualified county, as defined by Section 130.914, Local Government Code, as added by this Act, may not apply for a grant under that section before April 1, 2024.

SECTION 4.02.  Not later than April 1, 2024, the comptroller of public accounts shall comply with the requirements of Section 130.914, Local Government Code, as added by this Act.

SECTION 4.03.  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.