

## **BILL ANALYSIS**

C.S.H.B. 2925  
By: Martinez  
County Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Law enforcement professional standards are achieved at a much higher rate in municipalities and counties that have adopted a civil service system. These standards, as well as a peace officer's ability to operate in an environment free from political influence, are imperative for obtaining a high degree of competence in the profession. The inability of citizens and political subdivisions to adopt a civil service system due to the daunting, time-consuming, volunteer-based task of petitioning has placed these citizens and political subdivisions in a losing situation in which professional standards will not be achieved. The recruiting, hiring, promoting, disciplining, and firing of officers should be standardized, transparent, and honest and should involve due process at every step. The adoption of civil service systems is the means to professional policing. C.S.H.B. 2925 seeks to address this issue by making certain civil service systems mandatory.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2925 amends the Local Government Code to make provisions relating to municipal civil services for firefighters and police officers apply when a municipality has a population of 10,000 or more and has a paid fire department or police department. The bill entitles each firefighter or police officer who has been in the service of a municipality for more than six months at the time the provisions first become applicable to the municipality and who is entitled to civil service classification to have the status of a civil service employee and exempts the person from a competitive examination to remain in the position the person occupies at the time the provisions first become applicable to the municipality. The bill requires the chief executive of the municipality to appoint the members of a civil service commission within 60 days after the date the provisions first become applicable to the municipality. Within 30 days after the date the municipality's first full fiscal year begins after the date the provisions first become applicable to the municipality, the governing body of the municipality is required to implement the provisions.

C.S.H.B. 2925 requires a sheriff's department in a county with a population of more than 250,000 to adopt a sheriff's department civil service system. The bill requires that, in a county with a population of less than 2.8 million, on the date the civil service system requirement first becomes applicable to the department, sheriff, commissioners court, and district attorney must

each appoint one person to serve as a member of the civil service commission that administers the system. In a county with a population of 2.8 million or more, on the date the civil service system requirement first becomes applicable to the department, the sheriff, commissioners court, and district attorney must each appoint two persons to serve as members of the civil service commission that administers the system, and the three appointing authorities must appoint one member by joint action requiring the affirmative vote of each of the authorities.

C.S.H.B. 2925 establishes that, on its effective date, provisions relating to the firefighters' and police officers' civil service law and a sheriff's department civil service system, as amended by the bill, first become applicable for purposes of the bill's provisions to an applicable municipality and an applicable county, respectively, that was not operating under such provisions immediately before that date. The bill requires such a municipality or county, without regard to the holding of an election, to implement the applicable civil service system in the municipality or county.

C.S.H.B. 2925 repeals the following provisions of the Local Government Code:

- Section 143.002(c);
- Section 143.004;
- Section 158.033; and
- Section 158.039.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 2925 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute omits a provision present in the introduced that increased from 10,000 to 25,000 the minimum population threshold of a municipality for coverage under the firefighters' and police officers' civil service law.