88R8959 KBB-D

By:  Tinderholt H.B. No. 4729

A BILL TO BE ENTITLED

AN ACT

relating to the amounts budgeted by certain political subdivisions for fire protection, law enforcement, or emergency medical services.

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 TO REDUCE BUDGET FOR PUBLIC SAFETY SERVICES. (a) In this section:

(1)  "Comparable service" means:

(A)  the services provided by a department or similar unit of a political subdivision that are identifiable in the political subdivision's budget, if the political subdivision is separated into departments or similar units; or

(B)  a service provided by a political subdivision that is identifiable in the political subdivision's budget, if the political subdivision is not separated into units described by Paragraph (A).

(2)  "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 that allocates an amount of money to provide a public safety service that is less than the amount allocated to provide that service in the preceding fiscal year if:

(1)  the reduction in the amount of money allocated to provide the public safety service is greater than the reduction in the amount of money allocated in that budget to provide a comparable service if compared to the amounts allocated to provide those services in the preceding fiscal year; and

(2)  the percentage difference between the amount of money allocated in that budget to provide the public safety service and the amount allocated to provide that service in the preceding fiscal year is greater than the percentage difference between the amount of money allocated in that budget to provide the comparable service and the amount allocated to provide that comparable service in the preceding fiscal year.

(d)  A political subdivision may adopt a budget that does not meet the requirements of Subsection (c) as it relates 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 of money allocated 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 a budget adopted by a political subdivision on or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2023.