

By: Oliverson, Schofield, DeAyala, Harless,
Hull, et al.

H.B. No. 26

Substitute the following for H.B. No. 26:

By: Bell of Montgomery

C.S.H.B. No. 26

A BILL TO BE ENTITLED

AN ACT

relating to contracting with law enforcement agencies in certain
counties.

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

SECTION 1. Subchapter B, Chapter 85, Local Government Code,
is amended by adding Section 85.025 to read as follows:

Sec. 85.025. AUTHORITY TO ENTER INTO CONTRACT TO PROVIDE
LAW ENFORCEMENT SERVICES IN CERTAIN COUNTIES. (a) In this section:

(1) "Local government" means a county, municipality,
municipal utility district, school district, junior college
district, or other political subdivision of this state.

(2) "Property owners' association" has the meaning
assigned by Section 202.001, Property Code.

(b) This section applies only to a county with a population
of more than 3.3 million.

(c) A sheriff may enter into a contract with a local
government, a property owners' association, or an owner of land to
provide law enforcement services in the sheriff's county:

(1) in and near the area managed or regulated by the
local government or the association or the area owned by the owner;
and

(2) to the persons residing in or visiting an area
described by Subdivision (1).

(d) The commissioners court of the sheriff's county may not

prohibit or otherwise restrict the sheriff from entering into a contract under this section. The sheriff may enter into the contract and determine the terms of the contract, regardless of whether the commissioners court approves of the contract or the terms.

SECTION 2. Subchapter C, Chapter 86, Local Government Code, is amended by adding Section 86.026 to read as follows:

Sec. 86.026. AUTHORITY TO ENTER INTO CONTRACT TO PROVIDE LAW ENFORCEMENT SERVICES IN CERTAIN COUNTIES. (a) In this section:

(1) "Local government" means a county, municipality, municipal utility district, school district, junior college district, or other political subdivision of this state.

(2) "Property owners' association" has the meaning assigned by Section 202.001, Property Code.

(b) This section applies only to a county with a population of more than 3.3 million.

(c) A constable may enter into a contract with a local government, a property owners' association, or an owner of land to provide law enforcement services in the constable's precinct:

(1) in and near the area managed or regulated by the local government or the association or the area owned by the owner; and

(2) to the persons residing in or visiting an area described by Subdivision (1).

(d) The commissioners court of a constable's county may not prohibit or otherwise restrict the constable from entering into a contract under this section. The constable may enter into the

1 contract and determine the terms of the contract, regardless of
2 whether the commissioners court approves of the contract or the
3 terms.

4 SECTION 3. This Act takes effect on the 91st day after the
5 last day of the legislative session.