

By: Schofield

H.B. No. 336

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of sheriffs and constables to enter into
3 contracts to provide law enforcement services in certain counties
4 and county financial authority in relation to sheriffs and
5 constables in certain counties.

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

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

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

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

13 (2) "Subdivision" has the meaning assigned by Section
14 201.003, Property Code.

15 (b) This section applies only to a county with a population
16 of 1 million or more.

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

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

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

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

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

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

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

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

12 (2) "Subdivision" has the meaning assigned by Section
13 201.003, Property Code.

14 (b) This section applies only to a county with a population
15 of 1 million or more.

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

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

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

23 (d) The commissioners court of a constable's county may not
24 prohibit or otherwise restrict the constable from entering into a
25 contract under this section. The constable may enter into the
26 contract and determine the terms of the contract, regardless of
27 whether the commissioners court approves of the contract or the

1 terms.

2 SECTION 3. Subchapter 2, Chapter 130, Local Government
3 Code, is amended by adding Section 130.903 to read as follows:

4 Sec. 130.903. REQUIREMENTS AND PROHIBITIONS RELATED TO
5 COUNTY LAW ENFORCEMENT IN CERTAIN COUNTIES. (a) This section
6 applies only to a county with a population of 1 million or more.

7 (b) A county may not:

8 (1) transfer money appropriated to the office of
9 sheriff or constable to the county's general revenue fund or any
10 other county account; or

11 (2) prohibit the office of sheriff or constable from
12 spending money appropriated to the office for any lawful purpose.

13 (c) In relation to money received under a contract entered
14 into under Section 85.025 or 86.026, the commissioners court of the
15 sheriff's or constable's county:

16 (1) shall credit the money to the office of the sheriff
17 or constable, as applicable, and may not credit the money to the
18 county's general revenue fund; and

19 (2) may not reduce the appropriation to the office of
20 the sheriff or constable, as applicable, by the amount of the money
21 received because the money is considered for purposes of Section
22 120.002 as part of the office's appropriation for the county fiscal
23 year in which the money is received.

24 (d) The county may not prohibit or otherwise restrict the
25 use of the money described by Subsection (b) by the sheriff or
26 constable, as applicable, for a lawful purpose, if the county
27 auditor or county treasurer determines that the money is available

1 to the office of the sheriff or constable, as applicable.

2 SECTION 4. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2025.