

BILL ANALYSIS

Senate Research Center

H.B. 1540
By: Yarbrough (Whitmire)
Intergovernmental Relations
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Engrossed

DIGEST

The 73rd Legislature changed the sheriff's department civil service commission (commission) quorums from two to all three members. In some cases the new quorum system has resulted in a backlog of work for the commission in large counties. This bill changes the procedure for appointing and the authority of the commission and panel in a county with a population of more than 2.8 million or more.

PURPOSE

As proposed, H.B. 1540 sets forth provisions regarding the sheriff's department civil service system in certain counties.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the sheriff's department civil service commission in SECTION 2 (Sec. 158.035(c), Local Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 158.034, Local Government Code, to require certain public officials to each appoint one person to serve as members of the sheriff's department civil service commission (commission) that administers the sheriff's department civil service system in a county with a population of less than 2.8 million. Requires certain designated officials to each appoint two persons to serve as members of the commission that administers the system, and certain public officials shall appoint one member by joint action requiring the affirmative vote of each of the officials. Makes conforming changes.

SECTION 2. Amends Section 158.035(c), Local Government Code, to require a panel of three commissioners, rather than at least three commissioners, to preside at the hearing and vote on certain decisions. Provides that the panel's decision is the final decision of the commission for purposes of Sections 158.0351 and 158.037. Requires the commission to adopt rules prescribing the commission's procedures for assigning members to a panel. Prohibits a panel from including more than one member who was appointed to the commission by the same individual appointing authority.

SECTION 3. Sets forth the composition of the commission of the sheriff's department civil service system.

SECTION 4. Emergency clause.
Effective date: upon passage.