

BILL ANALYSIS

Senate Research Center
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S.B. 120
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Intergovernmental Relations
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DIGEST AND PURPOSE

Under current Texas law, an employee of the sheriff's department civil service system who is demoted, suspended, or removed by the sheriff's department civil service commission may appeal the decision in a district court and may be awarded reinstatement, back pay, or other relief if the court rules in favor of the employee. As proposed, S.B. 120 allows the sheriff to appeal a decision of the sheriff's department civil service commission that reverses or modifies an employee's demotion, suspension, or removal by filing a petition in one of the county's district courts within 30 days of the decision, and requires the court to reverse the commission's decision if the court rules in favor of the sheriff.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 158.037(a) and (c), Local Government Code, as follows: (a) Authorizes the sheriff to appeal a final sheriff's department civil service commission (commission) decision that reverses or modifies an employee's demotion, suspension, or removal by filing a petition in a district court in the county within 30 days after the date of the decision.

(c) Requires the court to reverse the decision of the commission and affirm the decision of the sheriff, if the district court renders judgment for the sheriff.

SECTION 2. Effective date: September 1, 2003.