

**SUBJECT:** County elections to increase sheriff department salaries

**COMMITTEE:** County Affairs — committee substitute recommended

**VOTE:** 5 ayes — R. Lewis, Denny, Flores, Gutierrez, G. Lewis  
0 nays  
4 absent — Kamel, Bonnen, Chisum, Christian

**WITNESSES:** For — Jim Allison, Texas Association of County Judges and Commissioners Court; Dick Brock, Texas Municipal Police Association  
Against — None

**BACKGROUND :** The Local Government Code allows voters in counties with a population greater than 30,000 to petition the commissioners court to increase salaries for members of the sheriff's department. Petitions must be signed by at least 25 percent of the total voters in the most recent election for county officers. The commissioners court can adopt the proposed minimum salary stated in the petition, offer an alternative minimum salary, or call an election on the proposed minimum salary.

If an election is called, the only issue that can be on the ballot is whether the proposed minimum salary should be adopted. An election can be held on the first uniform election date occurring 65 days after the petition is filed. The ballot proposition must list the proposed salary for each rank, pay grade or classification of sheriff's deputy. Salary increases approved by the voters take effect on or before the effective date specified in the petition.

**DIGEST:** CSHB 704 would allow cities with populations greater than 25,000 to petition for increasing salaries of the sheriff's department. The election ballot would have to include a statement indicating the total annual cost of the proposed salary increase and that the increase may or may not cause an increase in county ad valorem property taxes.

An election for a salary petition could be held on a date when an election was already scheduled for other purposes, and the ballot could include measures other than the sheriff department salaries.

If the effective date specified in the petition passed before the election was held, the salary increase would take effect with the first full pay period beginning after the election results were posted.

CSHB 704 would take immediate effect if finally approved by a two-thirds record vote of the membership in each house.

**SUPPORTERS  
SAY:**

CSHB 704 would give voters in 13 additional counties the opportunity to petition their commissioners court to increase salaries of members of a sheriff's department. The bill would not mandate salary increases but merely allow for additional citizen input and involvement in local issues. In addition, CSHB 704 would save counties money by allowing salary petition elections to be held in conjunction with another planned county election.

**OPPONENTS  
SAY:**

No apparent opposition.

**NOTES:**

The committee substitute provided for holding a salary petition election on the same day as another scheduled countywide election; required the ballot proposition to state the annual cost of the salary increase and indicate that the measure might cause an increase in ad valorem taxes; and provided for an effective date for approved salary increases.

The 74th Legislature enacted HB 1770 by R. Lewis, lowering the population bracket for salary petition elections from counties with 75,000 population to counties with 30,000 population.

HB 704  
House Research Organization  
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