

SUBJECT: State salary supplements for sheriffs in less populous counties

COMMITTEE: County Affairs — committee substitute recommended

VOTE: 6 ayes — Ramsay, G. Lewis, B. Brown, Chisum, Farabee, Salinas
1 nay — Shields
2 absent — Hildebran, Krusee

WITNESSES: For — Dan W. Brown and Gary Painter, Sheriff’s Association of Texas
Against — None

BACKGROUND: State law provides for the payment of supplemental salary compensation to county prosecutors, county attorneys, and some county judges. The state currently pays a district judge \$101,700 annually, excluding benefits and supplements paid by counties.

DIGEST: CSHB 3440 would allow the payment of state supplemental salary compensation to the sheriff of a county with a population of 10,000 or less if the sheriff earned less than one-third of a state district judge’s salary, or less than \$33,900. The amount of the supplement would be specified in the general appropriations act. If the sheriff waived any part of the supplement, the waived amount would have to be used for expenses of the county sheriff’s office.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2001.

SUPPORTERS SAY: CSHB 3440 would ensure that the sheriff, the chief law enforcement officer in these small counties, would receive a fair living wage. Only 20 sheriffs in the 90 counties with populations below 10,000 now receive more than one-third of a state district judge’s salary. Many sheriffs must supplement their county wages with other employment. According to the Legislative Budget Board, Loving County, the state’s smallest county, pays its sheriff \$32,178.

Other counties pay their sheriffs even less — \$22,134 in La Salle County, \$18,900 in Hall County, and \$12,890 in Concho County. Even in a county with 4,000 people such as Concho County, a salary of less than \$13,000 is not a fair living wage.

The Legislature would retain complete discretion on the size of the salary supplements through the appropriations process. The supplements could be \$1 or \$1,000 apiece, depending on lawmakers' final decision.

Increasing sheriffs' wages would demonstrate the respect citizens have for sheriffs' demanding and often dangerous jobs. Holding another job while serving as sheriff creates a potential for conflicts of interest.

OPPONENTS
SAY:

Decisions on salaries for sheriffs and other county officials should remain at the local level. Compensation may be low for all county officials, but the commissioners courts in small counties are responsive to the needs of county employees and to the ability of local taxpayers to support county government. Because the cost of living tends to be lower in smaller counties, the county salaries often are more than adequate.

Sheriffs were aware of their duties and compensation when they ran for office. They also can appeal to a salary grievance board to make a case for an increased salary.

Small state salary supplements would not be enough to head off temptations and potential corruption. Criminal elements can pay more in bribes than any state or county salary. Citizens must rely on nonfinancial incentives to keep law enforcement officers honest.

NOTES:

HB 3440 as filed would have applied to counties with populations of 20,000 or less.

According to the bill's fiscal note, it would cost the state about \$30,000 in fiscal 2002-03 if the bill took effect September 1, 2001.

