

- SUBJECT:** Adding information on petitions to increase sheriff's department salaries
- COMMITTEE:** County Affairs — committee substitute recommended
- VOTE:** 7 ayes — Ramsay, G. Lewis, B. Brown, Chisum, Farabee, Krusee, Salinas
0 nays
2 absent — Hilderbran, Shields
- SENATE VOTE:** On final passage, April 25 — voice vote
- WITNESSES:** (*On Senate engrossed version:*)
For — Jim Allison, County Judges and Commissioners Association of Texas; Ramiro Castellano, Hidalgo County Sheriff's Department; Major Don McWilliams, Harris County Sheriff's Department; Cathy Sisk, Harris County Attorney

Against — Robert Amboree, Afro American Sheriff's Deputy League; Humberto Rios Barrera, Mexican American Sheriff's Organization; Ed Christensen, Harris County Deputies Organization; James Hutmacher, Bexar County Sheriff's Deputies Law Enforcement Organization; James Sylvester, Travis County Sheriff's Officers Association
- BACKGROUND:** Under Local Government Code, sec. 152.072, voters in a county with more than 25,000 people may petition the county commissioners court to increase the minimum salary of sheriff's department employees. The petition must include a statement of the amount of the proposed raise, the effective date, a list of five qualified voters authorized to negotiate with the commissioners court if necessary, and signatures of at least 25 percent of the number of qualified voters who voted in the previous county officer election.
- DIGEST:** HB 3073 would require that a petition by voters in a county with more than 25,000 people to increase the minimum salary of sheriff's department employees state that the proposed pay raise could not exceed 10 percent of the current salary. The proposed raise could not take effect before the start of the county's next fiscal year.

The bill would take effect September 1, 2001.

SUPPORTERS
SAY:

CSSB 1780 would not eliminate the petition process for an election to raise sheriff department employees' salaries but would provide for an orderly process to ensure that the raises would not unduly burden county taxpayers. Any increase would have to be included as part of the regular county budget and therefore would occur before a property tax rate was set.

No election to raise sheriff department employees salaries' has ever failed, and four elections last year approved increases of more than 30 percent. However, these successes could be Pyrrhic victories that ultimately cause detrimental effects to sheriff's department employees and county taxpayers. Local elections in Anderson, Hopkins, and Van Zandt counties approved increases after the budgets and tax rates were approved, and cutbacks had to be made in other departments. Ellis County held an election before the budget process was completed, but the resulting sheriff's department raises pushed the tax rate beyond the rollback rate. Ellis County voters subsequently approved a rollback in the tax rate, and many of the sheriff's department employees who had received a raise were laid off to help balance the county budget.

OPPONENTS
SAY:

Sheriff's department salary increases should not be limited to 10 percent because a larger increase may be necessary to make county salaries competitive with other law enforcement agencies in the region. Also, sheriff's department employees should have the right to appeal the commissioner's court budget decision of their salaries even after a budget is approved.

OTHER
OPPONENTS
SAY:

All special mechanisms to raise county salaries outside the budget process, including the sheriff's department salary raise election or the county salary grievance board for elected officials, should be abolished. The decisions on salaries should be left with county commissioners courts because those elected officials are accountable for the county budget and tax rate.

NOTES:

The Senate engrossed version of SB 1780 would have allowed the Harris County sheriff to appeal to district court any adverse county Civil Service Commission rulings on a sheriff's decision to fire, demote, or suspend an employee.

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CSSB 1780 duplicates the language of HB 3073 by Chisum that passed the House on May 8, but died in the Senate Intergovernmental Relations Committee.