

SUBJECT: Exempting certain county commissioners from continuing education mandate

COMMITTEE: County Affairs — favorable, without amendment

VOTE: 7 ayes — Lewis, W. Smith, Casteel, Chisum, Farabee, Flynn, Quintanilla

0 nays

2 absent — Farrar, Olivo

WITNESSES: For — Jim Allison, County Judges and Commissioners Association of Texas;
Mark Mendez, Tarrant County Commissioners Court

Against — None

BACKGROUND: Local Government Code, sec. 81.0025 requires county commissioners to complete at least 16 hours of continuing education each year. The education must relate to their work as commissioners, and an accredited public college or university must certify the programs they complete. Failure to complete this continuing education subjects commissioners to removal from office for incompetency. Sec. 81.0025(e) exempts commissioners from the 16-hour continuing education requirement if they serve in counties with populations of at least 1.5 million, have served continuously for at least 12 years, and attend at least 15 hours of staff briefing on continuing education subjects each year as approved by the County Judges and Commissioners Association. Currently, the population bracket limits the exemption to commissioners of Dallas and Harris counties.

DIGEST: HB 686 would extend the exemption from continuing education requirements to commissioners of counties with populations of 1.3 million or more, provided that they met existing criteria related to length of service and attendance at staff briefings on continuing education subjects.

The bill would take effect January 1, 2004.

**SUPPORTERS
SAY:**

HB 686 would help increase efficiency in county government by extending to commissioners of Bexar and Tarrant counties an option already available to experienced, busy commissioners in Harris and Dallas counties. Bexar and Tarrant counties, like their larger counterparts, also employ sizable staffs with the resources to educate county commissioners on issues related to their work. By using county staff as resources for this purpose, veteran Bexar and Tarrant County commissioners would save the time and expense of attending continuing education programs outside of their offices. The bill would allow but not require such briefings in lieu of continuing education.

Bexar and Tarrant County staff could tailor their briefings to address issues of local concern for commissioners. Also, preparing and delivering the briefings would sharpen the staff's understanding of these issues.

HB 686 is workable. The County Judges and Commissioners Association has testified that it will consider approving the briefings by Bexar and Tarrant County staff, and the association may even attend some briefings to gauge their quality. However, the association also indicated that its current resources would prevent it from considering briefing proposals in addition to those that HB 686 would authorize.

The bill would safeguard the existing law's purpose of promoting competency among county commissioners. By accommodating only commissioners with at least 12 years' continuous service, the bill properly would restrict the continuing education exemption to more proven commissioners.

**OPPONENTS
SAY:**

HB 686 would establish a trend toward exempting too many county commissioners from continuing education requirement by extending an arbitrary population bracket to include two additional counties.

Continuing education conferences promote better government by encouraging communication between commissioners of various counties. Experienced commissioners from Bexar and Tarrant counties will lose this opportunity if they attend only briefings in their offices. Less experienced commissioners would lose continuing education conferences as opportunities to meet their veteran colleagues, and instructors lecturing at conferences would lose insightful feedback from the veteran commissioners.

OTHER
OPPONENTS
SAY:

The continuing education exemption should be extended to commissioners of smaller counties that have staff resources available to achieve the basic purpose of the continuing education requirement. Commissioners of rural counties could save their counties more time and money than their urban counterparts if the bill were amended to include them. Some savings could be used to supplement the review responsibilities of the County Judges and Commissioners Association.