

BILL ANALYSIS

Senate Research Center
87R3281 DRS-D

H.B. 840
By: Moody (Blanco)
Local Government
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Pursuant to Local Government Code Chapter 152, an elected county or precinct officer who is aggrieved by the setting of their salary or personal expenses may request a hearing before a nine-member salary grievance committee, before the approval of the county's annual budget. Section 152.015 sets out specific, outmoded requirements on how such salary grievance committees' public members are selected. Specifically, it requires that a county clerk place the names of each person who served on a grand jury in the last year on individual slips of paper. Then, in a public meeting, the county judge mixes these slips up in a container and randomly draws names until the judge fills the committee, plus as many alternates as the county may need.

The salary grievance committee selection process must be modernized to create more efficient procedures to lessen the time necessary to select public members of the committee.

H.B. 840 allows the county clerk to generate a randomized list of public members, still from the list of people who served on a grand jury, which the judge must then accept at a public meeting. This creates a quicker and less burdensome process for all parties.

H.B. 840 amends current law relating to the selection of public members to serve on a county's salary grievance committee.

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 152.015, Local Government Code, by amending Subsections (a), (b), and (d) and adding Subsections (b-1) and (b-2), as follows:

(a) Requires the public members of the salary grievance committee to be selected as provided by Subsection (b) or (b-1) at a meeting of the commissioners court at any time during the year, but not later than the 15th day after the date request for a hearing is received under Section 152.016(a) (relating to an elected county or precinct officer requesting a hearing before the salary grievance committee).

(b) Creates an exception under Subsection (b-1) and makes conforming changes.

(b-1) Authorizes the commissioners court, as an alternative to the selection process for public members to serve on a salary grievance committee prescribed by Subsection (b), to direct the county clerk to use a computer to generate a randomized list of the names of all persons who served on a grand jury in the county during the preceding calendar year. Requires the commissioners court, at the meeting required by Subsection (a), to:

(1) adopt the randomized list;

(2) enter the list into the minutes of the meeting; and

(3) select, in the order of the list, the necessary number of public members and alternates.

(b-2) Creates this subsection from existing text. Provides that a person whose name is selected under Section 152.015 (Selection and Term of Public Members on Grievance Committee) becomes a member of the committee or an alternate on submitting written acceptance of the selection to the clerk. Requires that a replacement be appointed from the list of alternates if a person refuses or is unable to serve on the committee. Requires that a replacement be selected from the remaining names not already selected, if the list of alternates is exhausted or does not exist, in the same manner as the replaced member at the next regular or called commissioners court meeting. Requires that this process be repeated until the required number of public members have accepted the selection. Deletes text requiring the drawing of random selection of slips to determine committee members.

(d) Makes conforming changes to this subsection.

SECTION 2. Effective date: September 1, 2021.