

**SUBJECT:** Sheriff department civil service procedures

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

**VOTE:** 8 ayes — R. Lewis, Gutierrez, Chisum, Hamric, Kamel, G. Lewis, Muñoz, Wohlgemuth

0 nays

1 absent — Longoria

**SENATE VOTE:** On final passage, May 2 — voice vote

**WITNESSES:** No public hearing

**BACKGROUND:** The Harris County sheriff, commissioners court and district attorney each appoint one member to the Harris County sheriff department’s civil service commission. The commission promulgates and enforces rules concerning employee hiring, advancement, rights, benefits and working conditions.

**DIGEST:** CSSB 755 would require each entity that appoints a member of the Harris County sheriff department’s civil service commission to appoint a person to serve as an alternate commissioner at any time that the member appointed by the entity is unable to attend the commission hearing. An alternate commissioner would be required to meet the same eligibility requirements as the appointed member and such appointment would be for the same term as a member of the commission. For purposes of determining the existence of a quorum or majority vote at a commission hearing, the presence or vote of an alternate commissioner would constitute the presence or vote of the commission member appointed by the entity that appointed the alternate.

An alternate commissioner could only submit a vote to the commission during commission hearings that the alternate commissioner attended in place of the regular commissioner.

Not later than the 10th day before the date on which the commission holds a meeting to consider any change to the civil service rules, the commission

would provide written notice of the meeting by mail to the sheriff and to any employee organization that represents employees governed by the commission which had requests notice.

**NOTES:**

The Senate-passed version of SB 755 provided that the commission's decision is considered in favor of the employee unless a majority of the commissioners at the hearing vote to terminate, demote or deny recovery of back pay. If the commission's vote was a tie, a commissioner who was absent from the hearing could — not later than five days after the hearing — review the records, tapes and documents of the hearing and, based on that review, submit to the commissioners a written statement that the commissioner votes to terminate, demote or deny recovery of back pay.