

- SUBJECT:** Election of emergency services commissioners in Harris County
- COMMITTEE:** County Affairs — favorable, without amendment
- VOTE:** 8 ayes — W. Smith, Naishtat, Bolton, Farabee, Harless, Heflin, Leibowitz, Smith
- 0 nays
- 1 absent — T. Coleman
- WITNESSES:** For — Ralph Bartholow, John Paul Urban, Harris County
- Against — John Carlton, Texas State Association of Fire and Emergency Districts; Howard Katz, Harris County Emergency Services District No. 11; Ken Campbell (*Registered, but did not testify*: Don Smith, Travis County Emergency Services District No. 4)
- BACKGROUND:** Health and Safety Code sec. 775. governs emergency services districts. Under sec. 775.034, for a single-county district, a county commissioners court appoints a five member-board of emergency services commissioners to serve as a district's governing body.
- DIGEST:** HB 2653 would require the governing body of an emergency services district in Harris County to consist of five elected emergency services commissioners serving two year terms. A candidate for the board would have to be 18 years of age and a resident of the district.
- The county judge would establish a day to conduct the initial election. Emergency services commissioners would begin serving 30 days after the canvassing of the results of the election.
- After an election, the initial board would reimburse the county for election expenses.
- For the initial board, the two commissioners with the lowest vote totals would serve a term expiring on December 31 of the year in which the election was held. The other commissioners would serve until December 31 of the following year.

The general election of commissioners would be held annually on a uniform election day.

The bill would specify the conditions under which a person would be disqualified from serving as an emergency services commissioner, including limitations related to kinship with a person related to the district, business relationships, and failure to meet residency requirements.

The bill would not disqualify a person currently serving as a commissioner on an emergency services district board from running for election to the board.

The bill would take effect September 1, 2007.

**SUPPORTERS  
SAY:**

HB 2653 would allow the citizens of Harris County to exercise increased oversight over an emergency services district in their community. Emergency services districts have been invested with increased responsibilities, including the authority to levy taxes. However, the governing board of district wholly located in one county is unelected, appointed by a commissioners court that has little authority over the board or its operations. HB 2653 would enable the election of commissioners to the board of an emergency services district in Harris, allowing local voters to recruit and judge quality candidates to ensure the effective management of this important public safety organization.

The argument that HB 2653 could lead to the politicization of emergency services districts is misplaced. HB 2653 is a narrowly tailored bill that only would address one emergency services district in Harris County. No other emergency services district in the state would be affected by the bill, and additional legislation would be required to allow another district to convert to an elected board. The bill would allow local elected officials and voters in Harris County to exercise oversight over the emergency services district in their community, an important exercise of local control.

**OPPONENTS  
SAY:**

By allowing the election of board members to an emergency services district in Harris County, HB 2653 could lead to the politicization of these important public safety entities. Under current law, the governing board of an emergency services district is appointed by the county commissioners court. This is appropriate because members of the governing board of an emergency services district should be shielded from political influence and

should be appointed based on credentials of the board members rather than political acumen.

An election of an emergency services district board likely would have low voter participation, potentially allowing the outcome to be determined by a highly organized group of emergency services personnel. This could lead to narrow and inappropriate appeals by candidates to ease oversight of emergency services personnel or to increase pay.

Emergency services districts operate on a limited budget, and the cost of running an election for board members could be costly. This would be a diversion of taxpayer dollars from the vital emergency services provided by a district.

NOTES:

The companion bill, SB 1004 by Whitmire, was reported favorably, without amendment, by the Senate Intergovernmental Relations Committee on May 3 and recommended for the Local and Uncontested Calendar.