

SUBJECT: Amending grounds for removal of county officers

COMMITTEE: County Affairs — committee substitute recommended

VOTE: 9 ayes — Neave Criado, Stucky, Gerdes, J. Jones, Orr, Rosenthal, Schatzline, Slaton, Tinderholt
0 nays

WITNESSES: For — John Palmer (*Registered, but did not testify*: Chris Jones, Combined Law Enforcement Associations of Texas)
Against — None
On — (*Registered, but did not testify*: Shawn Hall Lecuona, Kri’ah b’shalom)

BACKGROUND: Concerns have been raised that the removal process for a county officer on grounds of intoxication applies only to alcohol intoxication and does not account for other substances.

DIGEST: CSHB 3264 would amend the grounds for removal of county officers from office by removing provisions specifying that intoxication be caused by drinking an alcoholic beverage. The bill also would specify that intoxication would not be grounds for removal if the intoxication was caused by the use of a substance, rather than the drinking of alcohol, on the direction of a licensed physician in Texas.

The bill would establish “intoxication” to mean the state of having an alcohol concentration to qualify as intoxicated under Penal Code or not having the normal use of mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body.

The bill would take effect September 1, 2023, and would apply only to

conduct that occurred on or after that date.