

## CHAPTER 576

## H.B. No. 822

## AN ACT

relating to municipal civil service and the validation of government acts and proceedings regarding certain civil service systems.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 143.002, Local Government Code, is amended to read as follows:

Sec. 143.002. MUNICIPALITIES COVERED BY CHAPTER. This chapter applies only to a municipality:

(1) that:

(A) [~~1~~] has a population of 10,000 or more;

(B) [~~2~~] has a paid fire department and police department; and

(C) [~~3~~] has voted to adopt this chapter or the law codified by this chapter; or

(2) *whose election to adopt this chapter and whose acts subsequent to that election were validated by the law enacted by House Bill 822, Acts of the 73rd Legislature, Regular Session, 1993.*

SECTION 2. (a) The governmental acts and proceedings of a municipality relating to an election to adopt a civil service system under Subchapter A, Chapter 143, Local Government Code, that was held before January 1, 1993, and at which time the municipality did not have a paid fire department and police department are validated as of the dates they occurred. The validation includes the preparation and wording of the ballot proposition, any action taken by the municipality in calling and holding the election, and any other action taken by the municipality before the effective date of this Act in connection with the civil service commission appointed after the election. The acts and proceedings may not be held invalid because they were not performed in accordance with law. A municipality may take any further action or may conduct any further proceeding necessary to complete the actions taken by the civil service commission that was appointed after the election, and any actions taken by the municipality or the civil service commission are valid and binding on the municipality and the civil service commission.

(b) This section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment in a court of competent jurisdiction; or

(2) has been held invalid by a final judgment of a court of competent jurisdiction.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 12, 1993, by a non-record vote; passed by the Senate on May 26, 1993: Yeas 30, Nays 0.

Approved June 11, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.