

**THE COUNTY INFORMATION PROJECT**  
*Texas Association of Counties*

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**TEXAS COUNTIES WITH CIVIL  
SERVICE SYSTEMS**

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**RESEARCH REPORT**  
February 15, 1999

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**Summary.**

Nine Texas counties have established civil service systems under one or both of the systems authorized by Chapter 158 of the Local Government Code. Seven of the nine counties have county civil service systems and six have sheriff's department civil service systems. Four of the six counties using the sheriff's department system also use the county system.

Current population estimates and projections indicate that there will be five to six new counties eligible to establish county civil service systems and one to two new counties eligible to establish sheriff's department civil service as a result of the 2000 Federal Census.<sup>1</sup>

**Background.**

Texas Local Government Code, Chapter 158, Subchapter A, §158.002 authorizes the creation of a county civil service system in counties with populations of 200,000 or more. Subchapter B, §158.032 authorizes the creation of a sheriff's department civil service system in counties with populations of more than 500,000.

Section 158.007 authorizes a county with a population of more than 800,000 that also has a county civil service system (Subchapter A) to dissolve or expand the system to cover certain employees and others not generally covered under a Subchapter A system. Section 158.039 authorizes a county to dissolve a sheriff's department civil service system (Subchapter B) after the system has been in effect for at least one year if twenty percent of the employees of the department petition the county judge to do so.

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<sup>1</sup> Government Code §2058.001(a) prohibits a governmental entity from acting on the results of the federal decennial census, in whole or in part, before September 1 of the year after the calendar year during which the census was taken. This means that counties falling within the required brackets as a result of the 2000 Census could not adopt the civil service system until September 1, 2001.

The Code Construction Act (Section 311.005, Government Code) defines "population" as the population according to the most recent federal decennial census. The most recent federal decennial census was conducted by the U.S. Census Bureau in 1990. The next the federal decennial census will be conducted in the year 2000.

**Analysis.**

a. *Eligible Counties -- 1990 Census.* According to the most recent federal decennial census, fifteen counties have the authority to establish a county civil service system. Six of those counties also qualify to use the sheriff's department civil service system. The remaining nine counties have the authority to establish a county civil service system only.

b. *Use of Chapter 158 Systems.* Of the fifteen counties eligible to create county civil service systems, seven (47%) have established one. All six (100%) of the counties that are eligible to establish a sheriff's department system have established that system. Only three (33%) of the remaining nine counties that are eligible to create county civil service but not sheriff's department civil service, have established a county civil service system.

**Chapter 158 Counties**

County	Population 1990	County System <sup>2</sup>	Sheriff's Dept. (Subchapter B) <sup>3</sup>
Harris	2,818,101		X
Dallas	1,852,810	X	X
Bexar	1,185,394	X	X
Tarrant	1,170,102	X	X
El Paso	591,610	X	X
Travis	576,407		X
Hidalgo	383,545	X	
Nueces	291,145	X	
Denton	273,525	X	
Collin	264,036		
Cameron	260,120		
Jefferson	239,389		
Fort Bend	225,421		
Lubbock	222,636		
Galveston	217,396		

X = System Established

c. *Projections -- County Civil Service Eligibility -- 2000 Census.* According to 1998 State Data Center and 1997-98 Comptroller population projections for the year 2000, there will be four new counties eligible to create county civil service systems

<sup>2</sup> Local Government Code, Chapter 158, Subchapter A

<sup>3</sup> Local Government Code, Chapter 158, Subchapter B

on September 1, 2001. Current population estimates from the State Data Center for 1998, however, indicate that a fifth county, McLennan County, has already reached the population threshold.

A sixth, Webb County, could also be eligible after the 2000 Census. The State Data Center and the Comptroller have projected a population of less than 200,000 for Webb County in 2000. However, the State Data Center's January 1998 population estimates show Webb County with a population of 189,037, a 41.9% increase since 1990. Annualized, this indicates an annual average growth rate of approximately 4.5%. Webb County would only have to average an annual growth rate of approximately 2.9% in each of the years 1998 and 1999 to reach the 200,000 mark.

**Potential New County Civil Service Counties**

County	1998 Estimates (SDC) <sup>4</sup>	Percent Growth 1990-98 (SDC)	2000 Projections 1.0 Scenario (SDC)	2000 Projections (Comptroller) <sup>5</sup>
Montgomery	259,999	5.34	241,384	245,700
Brazoria	227,523	2.34	225,358	227,978
Bell	226,952	2.35	214,253	217,715
Williamson	212,893	6.58	224,964	228,532
McLennan	204,265	1.00	193,271	196,806
Webb	189,037	5.24	188,224	184,840

d. *Projections -- Sheriff's Department Civil Service Eligibility -- 2000 Census.* It would appear that Hidalgo County will be the only new county eligible to create a sheriff's department civil service system. Collin County or Denton Counties could hit the threshold if they were to experience rapid growth in 1998 and 1999. The State Data Center's January 1998 estimates show Collin County's population increasing by 57.8% since 1990 to 416,620. Should Collin County experience an average annual growth rate of 10% during 1998 and 1999 the county would have a population of just over 500,000 in the year 2000 and would therefore be eligible for a sheriff's department civil service system. Denton County is similarly situated but would have to experience growth rates in excess of 10% per year to gain eligibility.

**Potential New Sheriff's Department Civil Service Counties**

County	1998 Estimates (SDC)	Percent Growth 1990-98 (SDC) <sup>6</sup>	2000 Projections 1.0 Scenario (SDC)	2000 Projections (Comptroller) <sup>7</sup>
Hidalgo	518,878	35.3	546,651	537,819
Collin	416,620	57.8	430,955	437,225
Denton	382,389	39.8	417,742	424,673

<sup>4</sup> Texas State Data Center

<sup>5</sup> Texas Comptroller of Public Accounts

<sup>6</sup> Texas State Data Center

<sup>7</sup> Texas Comptroller of Public Accounts

**Methodology:**

A list of counties authorized to establish civil service systems was created using the statutory brackets and the 1990 (revised) U.S. Census populations of counties. A telephone survey was then conducted on Friday, February 12, 1999, to determine which of the eligible counties had civil service systems. Counties with a population of more than 500,000 were asked whether they had the county civil service system, the sheriff's department civil service system, or both systems. Counties with populations of 200,000 to 500,000 were asked if they had the county-wide civil service system.

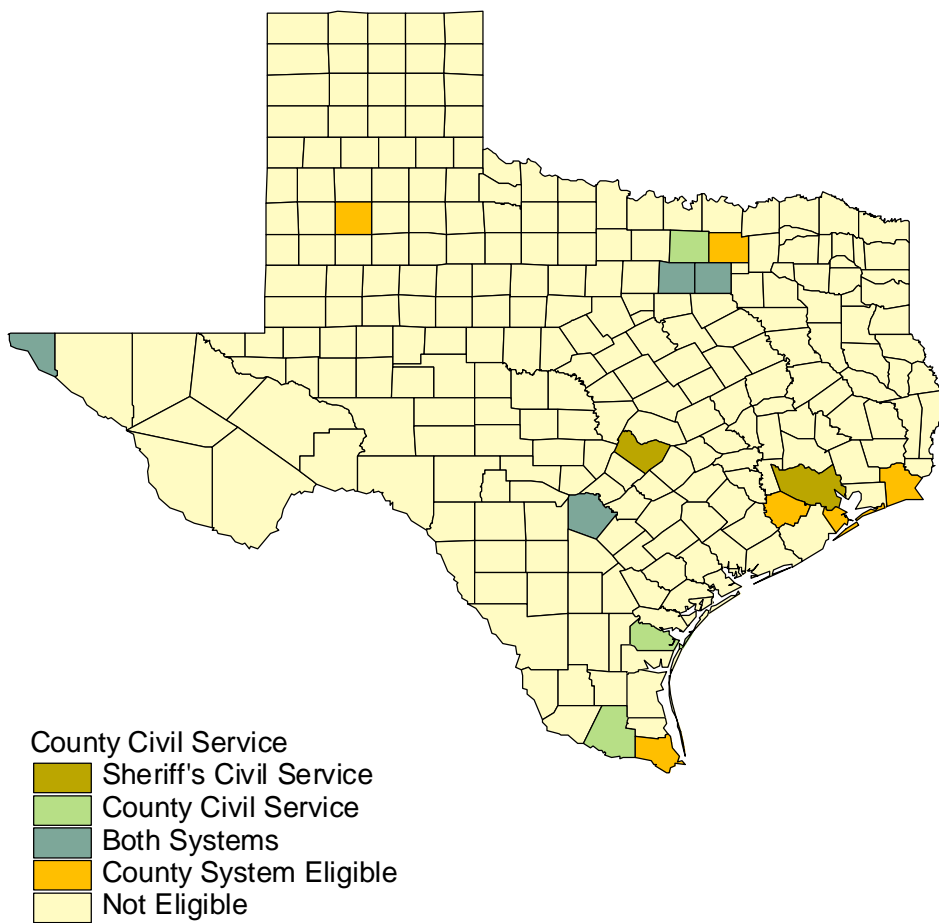
No inquiry was made relative to the utilization of the discontinuance or expansion authority provided to counties of more than 800,000 by Local Government Code §158.007. Nor was any inquiry made relative to the discontinuance authority provided by Local Government Code §158.039.

**Data Sources and Limitations:**

Population figures were from the April 1990 (revised) U.S. Census. Population estimates are from the U.S. Census Bureau, the Texas State Data Center population estimates for January 1998, and the Comptroller of Public Accounts. Respondents to the telephone survey were either the Personnel/Human Resources Departments, the County Judge's office, or the County Auditor's Office of the respective counties. Although there is no reason to doubt the reliability of the responses to the telephone survey, it should be noted that the responses have not been verified by official documentation.

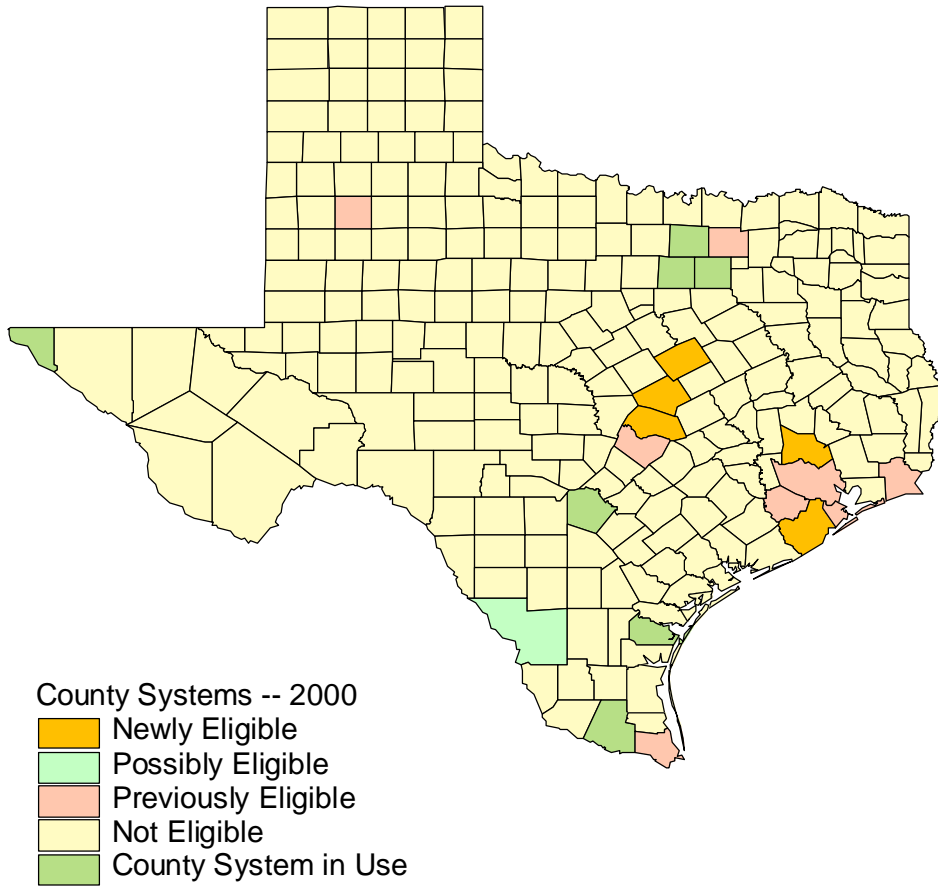
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# Existing and Eligible Civil Service Counties February 1999



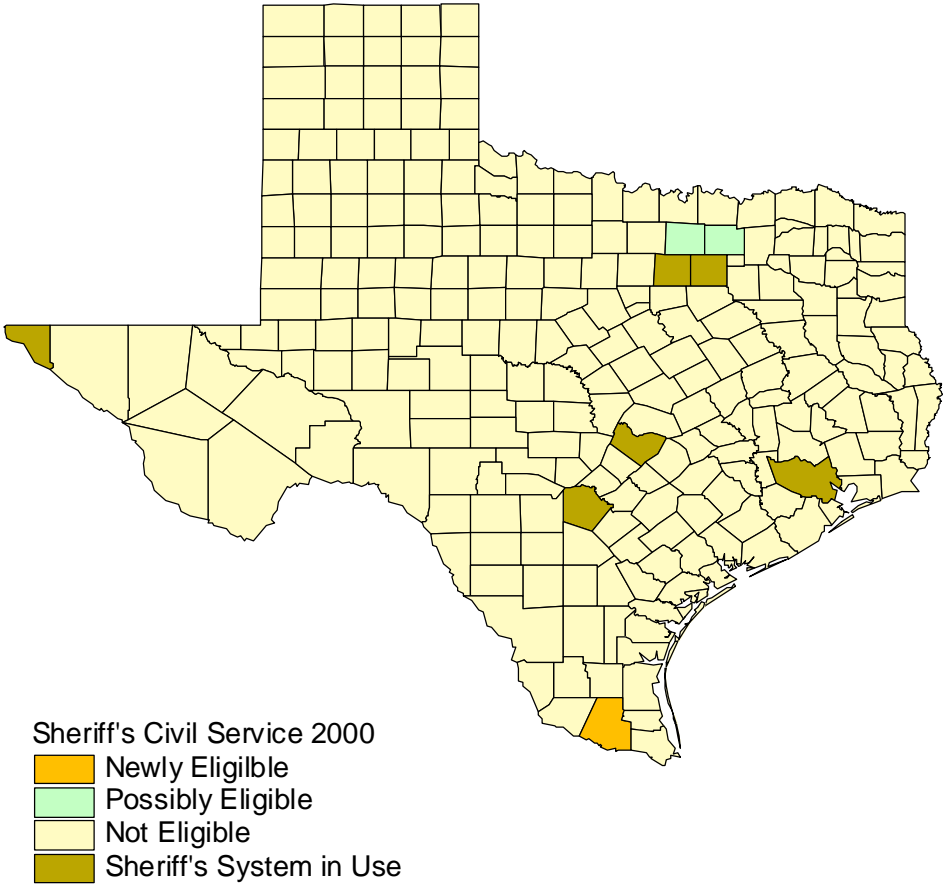
Prepared by the County Information Project, Texas Association of Counties, February 15, 1999.  
Sources: U.S. Census Bureau; Texas Local Government Code, Chapter 158.

# County Civil Service Systems Existing and Eligible after the 2000 Census



Prepared by the County Information Project, Texas Association of Counties, February 15, 1999.  
Sources: U.S. Census Bureau; Texas Local Government Code, Chapter 158.

# Sheriff's Department Civil Service Systems Existing and Eligible after the 2000 Census



Prepared by the County Information Project, Texas Association of Counties, February 15, 1999.  
Sources: U.S. Census Bureau; Texas Local Government Code, Chapter 158.