

AN ACT

relating to the investigation of a firefighter or police officer in certain municipalities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 143.123(e), Local Government Code, is amended to read as follows:

(e) A person may not be assigned to conduct an investigation if the person is the complainant, the ultimate decisionmaker regarding disciplinary action, or a person who has any personal involvement regarding the alleged misconduct. A fire fighter or police officer who is the subject of an investigation has the right to inquire and, on inquiry, to be informed of the identities of each investigator participating in an interrogation of the fire fighter or police officer. Not later than the 30th day after the date that a complaint is received by an investigator, the investigator must inform the fire fighter or police officer in writing of the nature of the investigation and the name of each person who complained about the fire fighter or police officer, if known, concerning the matters under investigation unless:

(1) a criminal investigation has been initiated as a result of the complaint; or

(2) the disclosure of information concerning the name of the complainant or the matters under investigation would hinder a criminal investigation.

1 SECTION 2. This Act takes effect September 1, 2003, and
2 applies only to a complaint received by an investigator on or after
3 that date.

H.B. No. 2361

President of the Senate

Speaker of the House

I certify that H.B. No. 2361 was passed by the House on April 30, 2003, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 2361 was passed by the Senate on May 23, 2003, by a viva-voce vote.

Secretary of the Senate

APPROVED: _____

Date

Governor