

1-1 By: Bailey (Senate Sponsor - Gallegos) H.B. No. 2361  
1-2 (In the Senate - Received from the House May 1, 2003;  
1-3 May 7, 2003, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 16, 2003, reported favorably by  
1-5 the following vote: Yeas 4, Nays 0; May 16, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the investigation of a firefighter or police officer in  
1-9 certain municipalities.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 143.123(e), Local Government Code, is  
1-12 amended to read as follows:

1-13 (e) A person may not be assigned to conduct an investigation  
1-14 if the person is the complainant, the ultimate decisionmaker  
1-15 regarding disciplinary action, or a person who has any personal  
1-16 involvement regarding the alleged misconduct. A fire fighter or  
1-17 police officer who is the subject of an investigation has the right  
1-18 to inquire and, on inquiry, to be informed of the identities of each  
1-19 investigator participating in an interrogation of the fire fighter  
1-20 or police officer. Not later than the 30th day after the date that a  
1-21 complaint is received by an investigator, the investigator must  
1-22 inform the fire fighter or police officer in writing of the nature  
1-23 of the investigation and the name of each person who complained  
1-24 about the fire fighter or police officer, if known, concerning the  
1-25 matters under investigation unless:

1-26 (1) a criminal investigation has been initiated as a  
1-27 result of the complaint; or

1-28 (2) the disclosure of information concerning the name  
1-29 of the complainant or the matters under investigation would hinder  
1-30 a criminal investigation.

1-31 SECTION 2. This Act takes effect September 1, 2003, and  
1-32 applies only to a complaint received by an investigator on or after  
1-33 that date.

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