

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**April 11, 2005**

**TO:** Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: HB639** by Bailey (Relating to complaints against certain peace officers, fire fighters, detention officers, and county jailers.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would require that, when a state agency or political subdivision that employs peace officers, fire fighters, detention officers, or county jailers receives a written and signed complaint against a peace officer or fire fighter employed by the entity, that the entity must conduct an investigation before disciplinary actions may be taken. The employer would be prohibited from placing a person complained against on indefinite suspension or from terminating the person based on the subject matter of the complaint unless the complaint is investigated and there is evidence to prove the allegation of misconduct.

The provisions of the bill would not apply to a peace officer or fire fighter appointed or employed by a political subdivision that is covered by a meet and confer or collective bargaining agreement under Chapter 143 or 174, Local Government Code, if that agreement includes provisions relating to the investigation of, and disciplinary action resulting from a complaint against a peace officer or fire fighter, as applicable.

The bill would take effect September 1, 2005 and would apply only to a complaint filed on or after that date.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, DLBa, WP, SR