

BILL ANALYSIS

H.B. 1561
By: Bailey
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Chapter 143, Local Government Code, establishes civil service requirements for fire fighters in cities with a population in excess of 10,000 that have adopted the Fire Fighter and Police Officer Civil Service Act, Local Government Code, Chapter 143, by local adoption election. Subchapter G, contains provisions applicable to municipalities with populations of 1.5 million or more and certain other municipalities. At this time, the Civil Service Act applies to about 75 Texas cities, while Subchapter G of the Civil Service Act, with one exception, applies only to the City of Houston.

This bill would do the following:

It would amend Section 143.123(e), which regulates investigations of fire fighters. At present, the complainant, the ultimate decision-maker regarding discipline, and any person who has personal involvement regarding the alleged misconduct, are prohibited from conducting an investigation. Also the fire fighter has the right to be informed of the names of each investigator. The bill further requires the investigator to notify the fire fighter that they are under investigation within 30 days of receiving the complaint.

RULEMAKING AUTHORITY

This bill does not expressly delegate any rulemaking authority to any State officer, department, agency, or institution.

SECTION-BY-SECTION ANALYSIS

SECTION 1. Amends Section 143.123(e), Local Government Code, which prohibits certain individuals from being assigned to conduct an investigation and provides a right to be informed of the names of all investigators, by requiring the investigator to notify the affected fire fighter in writing of the nature of the investigation and the names of all complainants within 30 days of receiving the complaint.

SECTION 2. Effective date.

EFFECTIVE DATE

Effective immediately if it receives a vote of two-thirds of all members of the house or September 1, 2007.