

1-1 By: Bailey (Senate Sponsor - Gallegos) H.B. No. 1561  
1-2 (In the Senate - Received from the House May 4, 2007;  
1-3 May 8, 2007, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 15, 2007, reported favorably by  
1-5 the following vote: Yeas 5, Nays 0; May 15, 2007, sent to  
1-6 printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the investigation of a firefighter in certain  
1-10 municipalities.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 143.123(e), Local Government Code, is  
1-13 amended to read as follows:

1-14 (e) A person may not be assigned to conduct an investigation  
1-15 if the person is the complainant, the ultimate decisionmaker  
1-16 regarding disciplinary action, or a person who has any personal  
1-17 involvement regarding the alleged misconduct. A fire fighter or  
1-18 police officer who is the subject of an investigation has the right  
1-19 to inquire and, on inquiry, to be informed of the identities of each  
1-20 investigator participating in an interrogation of the fire fighter  
1-21 or police officer. Not later than the 30th day after the date that a  
1-22 complaint is received by an investigator, the investigator must  
1-23 inform the fire fighter in writing of the nature of the  
1-24 investigation and the name of each person who complained about the  
1-25 fire fighter, if known, concerning the matters under investigation  
1-26 unless:

1-27 (1) a criminal investigation has been initiated as a  
1-28 result of the complaint; or

1-29 (2) the disclosure of information concerning the name  
1-30 of the complainant or the matters under investigation would hinder  
1-31 a criminal investigation.

1-32 SECTION 2. This Act applies only to a complaint received by  
1-33 an investigator on or after the effective date of the Act.

1-34 SECTION 3. This Act takes effect immediately if it receives  
1-35 a vote of two-thirds of all the members elected to each house, as  
1-36 provided by Section 39, Article III, Texas Constitution. If this  
1-37 Act does not receive the vote necessary for immediate effect, this  
1-38 Act takes effect September 1, 2007.

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