

BILL ANALYSIS

Senate Research Center
81R10666 SLB-F

S.B. 1896
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Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Chapter 143 (Municipal Civil Service for Firefighters and Police Officers), Local Government Code, provides a comprehensive administrative scheme for municipal firefighters and police officers upon local adoption by voters. Certain sections of the Local Government Code, have provided a four-step grievance procedure for firefighters and police officers in municipalities of 1.5 million or more for the past 24 years.

As proposed, S.B. 1896 prohibits a city from prohibiting a firefighter or police officer from pursuing certain grievances. The bill requires that a grievance be filed within 30 days after the firefighter or police officer knew or should have known of the aggrieved action and requires that a firefighter's or police officer's grievance be sustained if the fire or police department fails to timely respond to the member's grievance.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 143.127, Local Government Code, by adding Subsection (e), to prohibit a municipality or fire or police department (department) from by ordinance, rule, or otherwise prohibiting a fire fighter or police officer from pursuing a grievance under this section and Sections 143.128 (Step I Grievance Procedure), 143.129 (Step II Grievance Procedure), 143.130 (Step III Grievance Procedure), 143.131 (Step IV Grievance Procedure), 143.132 (Grievance Examiner), 143.133 (Special Provisions for Steps I and II), and 143.134 (Miscellaneous Grievance Provisions) regarding a matter that is not otherwise covered by this chapter but that concerns a matter regarding which an employee of the municipality who is not covered under this chapter is authorized to pursue a grievance.

SECTION 2. Amends Section 143.128, Local Government Code, by amending Subsection (a) and adding Subsection (f), as follows:

(a) Requires a fire fighter or police officer, to begin a grievance action, to file a completed written step I grievance form with person's department head or departmental grievance counselor within 30 days after the date the fire fighter or police officer knew or should have known of the action or inaction for which the person feels aggrieved occurred.

(f) Requires the chief or department head of a fire or police department (department head), if the supervisor does not provide the response required by Subsection (d) (relating to a written response to a fire fighter or police officer after a meeting) before the 16th day after the date the meeting occurs, to sustain the fire fighter's or police officer's grievance.

SECTION 3. Amends Section 143.129, Local Government Code, by adding Subsection (e), to require the department head, if the department head or the department head's representative does not provide the response required by Subsection (c) (relating to a written response to a fire fighter or police officer after a meeting) before the 16th day after the date the meeting occurs, to sustain the fire fighter's or police officer's grievance.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2009.