

By: Walle

H.B. No. 2174

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the investigation of firefighters in certain
3 municipalities.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 143.123(e), Local Government Code, is
6 amended to read as follows:

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

20 (1) a criminal investigation has been initiated as a
21 result of the complaint; or

22 (2) the disclosure of information concerning the name
23 of the complainant or the matters under investigation would hinder
24 a criminal investigation.

1 SECTION 2. Section 143.123(e), Local Government Code, as
2 amended by this Act, applies only to a complaint filed on or after
3 September 1, 2013. A complaint filed before September 1, 2013, is
4 governed by the law in effect when the complaint was filed, and the
5 former law is continued in effect for that purpose.

6 SECTION 3. This Act takes effect September 1, 2013.