LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 8, 2015

TO: Honorable Allen Fletcher, Chair, House Committee on Emerging Issues In Texas Law Enforcement, Select

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3053** by Fletcher (Relating to complaints against a law enforcement officer or fire fighter.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to modify the requirements of a complaint to be considered by the head of a state agency or by the head of a fire department of local law enforcement agency. The bill would prohibit an officer or employee to be asked to give an oral or written statement concerning the complaint within the first 24 hours after a copy of the complaint has been given to the officer or employee. Under the provisions of the bill, an officer or employee may not be indefinitely suspended or terminated from employment based on the subject matter of the complaint unless the officer or employee has been provided the opportunity to respond to the allegations. The bill provides procedures to permit an officer or employee to bring suit and if the individual demonstrates by a preponderance of evidence that a violation occurred, the court would be required to order to reinstate full back pay, benefits, and award attorney's fees and costs. The bill provides procedures for certain officers or employees to request an appeal hearing, if it is found a violation occurred, the governing body would be required to reinstate full back pay, benefits, and award attorney's fees and costs.

The Office of Court Administration reported no significant fiscal impact to the state court is anticipated.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405 Department of Public Safety, 458 Alcoholic Beverage Commission

LBB Staff: UP, ESi, SD, EK, JN