

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**March 18, 2019**

**TO:** Honorable Trey Martinez Fischer, Chair, House Committee on Business & Industry

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB359** by Moody (Relating to the employment of certain peace officers, detention officers, county jailers, or firefighters who are injured in the course and scope of duty.),  
**As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Government Code to regulate the discharge from employment of peace officers, detention officers, county jailers, or firefighters in certain municipalities and counties following certain compensable injuries. Provides provisions to define these employees and establishes certain remedies.

According to the Office of Court Administration, no significant fiscal impact to the state court system is anticipated.

According to the Department of Public Safety, no fiscal implication to the State is anticipated.

**Local Government Impact**

According to the Texas Municipal League (TML), the bill would affect workers' compensation income benefits. The workers' compensation statute requires that income benefits continue under workers' compensation for employees until maximum medical improvement is reached. Maximum medical improvement and the ability to return to work is determined by the treating doctor. A designated doctor is appointed by the Workers' Compensation Commission when there is a dispute on maximum medical improvement. According to TML, the bill would increase the number of cases where a designated doctor is appointed and increase the time period for payment of benefits.

According to the Texas Association of Counties (TAC), the fiscal impact to counties is not anticipated to be significant because the number of damage awards statewide is anticipated to be relatively small. However, a single damage award of \$100,000 would be significant in a smaller county. According to TAC, it is not possible to determine the number of claims that will be filed by first responders for wrongful discharge.

According to the City of Austin, the bill would have no fiscal impact.

According to the Office of Court Administration, no significant fiscal impact to local courts is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 405  
Department of Public Safety

**LBB Staff:** WP, CLo, SD, GP, AF, JGa, JN, SJS, AI