

BILL ANALYSIS

H.B. 1087
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Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, state law requires that the suspension of a fire fighter or police officer in certain municipalities for noncriminal violations be imposed within 180 days from the date of incident, regardless of when the department becomes aware of the violation. In 2019, a San Antonio Police Department officer who was suspended after admitting to giving a sandwich consisting of dog feces to a homeless man won his appeal to overturn the suspension after his legal representation successfully invoked this law and argued that the suspension was imposed outside of the 180-day window. H.B. 1087 seeks to reduce the incentive for officers to conceal misconduct and prevent disciplinary actions from being overturned on a technicality by allowing suspensions to be imposed within 180 days of the date the misconduct was discovered.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1087 amends the Local Government Code to change the period during which the head of a fire or police department in a municipality with a population of less than 1.5 million may complain of an act by a fire fighter or police officer as grounds for the fire fighter's or officer's suspension from 180 days after the occurrence of the act to 180 days after the discovery of the act, if the act is a violation of a civil service rule under the fire fighters' and police officers' civil service law and is not alleged to be related to criminal activity.

EFFECTIVE DATE

September 1, 2021.