

## **BILL ANALYSIS**

H.B. 1563  
By: Gervin-Hawkins  
Urban Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been suggested that current state law does not promote transparency with regard to the disclosure of personnel information filed with fire or police departments. There have been calls for increased accountability and transparency to build and improve the public's trust of these departments. Currently, any potential disciplinary record of a fire fighter or police officer pertaining to an investigation that does not end in formal discipline may not be released to any agency or person requesting the information. H.B. 1563 seeks to increase transparency for concerned Texans by making this information subject to disclosure under state public information law.

### **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. 1563 amends the Local Government Code to remove the prohibition against a fire or police department operating under the fire fighters' and police officers' civil service law from releasing information contained in a department personnel file to an agency or person requesting information relating to a fire fighter or police officer. The bill makes information contained in such a file public information subject to disclosure under state public information law, unless the information is made confidential under applicable law. The bill requires the department, before it responds to a request for such information, to provide the fire fighter or police officer with a copy of the request and written notice of the department's intent to comply with the request.

### **EFFECTIVE DATE**

September 1, 2021.