

BILL ANALYSIS

H.B. 1677
By: Canales
Intergovernmental Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that Texas fire fighters have few legal protections against investigative procedures for alleged misconduct that can lead to suspension, demotion, or reprimand, which can result in fire fighters being forced to accept punishments due to coercion, rather than actual wrongdoing. H.B. 1677 seeks to address this issue by prohibiting certain municipalities from taking punitive action against a fire fighter unless an investigation of the fire fighter's alleged misconduct has been conducted by the municipality in accordance with certain procedures.

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. 1677 amends the Government Code to prohibit a municipality with a population of 10,000 or more from taking punitive action against a fire fighter unless an investigation of the fire fighter's alleged misconduct has been conducted by the municipality in accordance with the following:

- certain investigation requirements prescribed under the fire fighters' and police officers' civil service law or other applicable law;
- any additional requirements imposed by a meet and confer or collective bargaining agreement under that civil service law or The Fire and Police Employee Relations Act; and
- the requirement that a copy of a signed complaint against the fire fighter be given to the fire fighter in accordance with the applicable procedures.

The bill applies to a fire fighter employed by a municipality regardless of whether the municipality is covered by a meet and confer or collective bargaining agreement under the civil service law or the act.

H.B. 1677 requires a municipality to which certain investigation requirements under the fire fighters' and police officers' civil service law or another substantially similar investigation requirement do not apply to adopt and comply with procedures substantially identical to those required under that civil service law for certain municipalities with a population of 460,000 or more that operate under a city manager form of government and any additional procedures or requirements imposed by a meet and confer or collective bargaining agreement under the civil service law or The Fire and Police Employee Relations Act. The bill's provisions expressly

supersede a conflicting provision in a meet and confer or collective bargaining agreement, but the bill authorizes such an agreement under the civil service law or that act to impose requirements for investigations in addition to those provided in the civil service law applicable to certain municipalities that do not conflict with the requirements of that law. The bill applies only to an investigation initiated by the municipality on or after the bill's effective date and an agreement entered into on or after the bill's effective date.

H.B. 1677 defines the following terms:

- "fire fighter" as a paid employee of a municipal fire department;
- "investigation" as an administrative investigation conducted by a municipality of alleged misconduct by a fire fighter that could result in punitive action against the fire fighter; and
- "punitive action" as a disciplinary suspension, indefinite suspension, demotion in rank, reprimand, or any combination of those actions.

EFFECTIVE DATE

September 1, 2025.