

BILL ANALYSIS

H.B. 1973
By: Canales
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the paucity of rights of most fire fighters in Texas with regard to investigative procedures for alleged misconduct. This can result in a fire fighter potentially being forced into accepting a punishment based on unfounded allegations, coercive techniques, or investigations that are not formal in nature. H.B. 1973 seeks to address this issue by prohibiting a municipality from taking punitive action against a fire fighter unless an investigation has been conducted 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. 1973 amends the Government Code to prohibit a municipality from taking punitive action against a fire fighter unless an investigation has been conducted in accordance with certain investigation requirements prescribed under the fire fighters' and police officers' civil service law or other applicable law. 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 fire fighters' and police officers' civil service law or The Fire and Police Employee Relations Act.

H.B. 1973 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. The bill requires a copy of a signed complaint against a municipal fire fighter to be given to the fire fighter in accordance with such adopted procedures.

EFFECTIVE DATE

September 1, 2021.