

- SUBJECT:** Filling vacancies created by promotions in fire departments
- COMMITTEE:** Urban Affairs — favorable, without amendment
- VOTE:** 5 ayes — Alvarado, Hunter, R. Anderson, Bernal, Elkins
2 nays — Schaefer, M. White
- WITNESSES:** For — Alvin White, Houston Professional Firefighters Association;
(*Registered, but did not testify:* Mike Martinez; Chris Jones, Combined
Law Enforcement Associations of Texas (CLEAT); Sean Dailey and
Johnny Villareal, Houston Professional Firefighters Association)

Against — Rodney West, City of Houston Fire Department
- BACKGROUND:** Local Government Code, sec. 143.108 establishes promotional
appointments for fire and police departments. Sec. 143.108(b) requires a
department vacancy to be filled from a list of eligible applicants provided
by the Fire Fighters’ and Police Service Officers’ Civil Service
Commission within a specified period of time.

Some observers note that promotional vacancies are sometimes left open
for long periods of time. When a promotional vacancy is filled from
within the department, another vacancy is created, which can create
uncertainty about when this subsequent vacancy began and by what time
it must be filled.
- DIGEST:** HB 3032 would require any vacancy created by the promotional
appointment of a firefighter or police officer within the department to
another position to be considered vacant on the date the initial vacancy
was filled.

The bill would take immediate effect if finally passed by a two-thirds
record vote of the membership of each house. Otherwise, it would take
effect September 1, 2015.