

- SUBJECT:** Prohibiting punitive action without investigation for some fire fighters
- COMMITTEE:** Urban Affairs — favorable, without amendment
- VOTE:** 8 ayes — Cortez, Holland, Bernal, Campos, Gates, Jarvis Johnson, Minjarez, Slaton
- 0 nays
- 1 absent — Morales Shaw
- WITNESSES:** For — Michael Glynn, Texas State Association of Firefighters; (*Registered, but did not testify:* Aidan Alvarado, Laredo Firefighters Association; Leroy Garcia, Mission Firefighter Association; Michael Silva and Jack Todd, Texas State Association of Fire Fighters)
- Against — None
- BACKGROUND:** Some have suggested that most professional fire fighters should be guaranteed the right to a formal investigation of complaints against them for alleged misconduct.
- DIGEST:** HB 1973 would prohibit a municipality from taking punitive action, including suspension, demotion, reprimand, or a combination of these actions, against a firefighter employed by the municipality unless an investigation had been conducted in accordance with certain procedures related to police and firefighters under the Local Government Code or other applicable law.
- The bill would require a city to which these procedures or another substantively similar set of investigation requirements did not apply to adopt and comply with procedures substantially identical to those required under that law for certain municipalities with a population of 460,000 and a city manager form of government. The bill also would require that a copy of a signed complaint against a municipal fire fighter be given to the fire fighter in accordance with the adopted procedures.

The bill would take effect on September 1, 2021, and would apply only to an investigation initiated on or after that date.

NOTES:

The bill's author plans to offer a floor amendment specifying that the bill would:

- apply only to a municipality with a population of 10,000 or more;
- supersede a conflicting provision in a meet and confer or collective bargaining agreement; and
- apply only to an agreement entered into on or after the bill's effective date.