

BILL ANALYSIS

Senate Research Center
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S.B. 307
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Intergovernmental Relations
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DIGEST AND PURPOSE

The office of fire fighters' pension commissioner expires on September 1, 2001, unless the legislature continues it. As proposed, S.B. 307 continues the office until 2011 and implements other recommendations of the Sunset Advisory Commission, including increasing the commissioner's term from two years to four years and adding an emergency medical services representative to the Statewide Emergency Services Personnel Retirement Fund Board.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21(d), Texas Local Fire Fighters Retirement Act (Article 6243e, V.T.C.S.), to provide that the fire fighters' pension commissioner serves a term of four, rather than two, years.

SECTION 2. Amends Section 21, Article 6243e, V.T.C.S., by amending Subsections (b), (c), and (h), and adding Subsection (k), as follows:

(b) Provides that a person is ineligible for appointment as the fire fighters' pension commissioner if the person or the person's spouse is employed by or participates in the management of a business entity or other organization regulated by or receiving money, rather than funds, from the office of the commissioner; or uses or receives a substantial amount of tangible goods, services, or money from the office of the commissioner other than compensation or reimbursement authorized by law for the fire fighters' pension commissioner. Makes a conforming change.

(c) Makes a nonsubstantive change.

(h) Provides that the office of fire fighters' pension commissioner is abolished September 1, 2011, rather than 2001, unless continued in existence as provided by Chapter 325 (Texas Sunset Act), Government Code.

(k) Prohibits a person from serving as the fire fighters' pension commissioner or acting as the general counsel to the commissioner or to the office of the fire fighters' pension commissioner if the person is required to register as a lobbyist under Chapter 305 (Registration of Lobbyists), Government Code, because of the person's activities for compensation on behalf of a profession related to the operation of the office of the fire fighters' pension commissioner.

SECTION 3. Amends Section 21A, Article 6243e, V.T.C.S., by amending Subsections (c) and (d) and adding Subsections (h)-(k), as follows:

(c) Sets forth elements that must be included in an equal opportunity policy statement. Deletes text regarding elements of the equal opportunity policy statement.

(d) Requires a policy statement prepared under Subsection (c) of this section to be updated annually; reviewed by the state Commission on Human Rights for compliance with Subsection (c)(1) of this section; and filed with the governor's office.

(h) Requires the office of the fire fighters' pension commissioner to maintain a file on each written complaint filed with the office. Sets forth information that must be included in the file.

(i) Requires the office of the fire fighters' pension commissioner to provide to the person filing the complaint and to each person who is a subject of the complaint a copy of the office's policies and procedures relating to complaint investigation and resolution.

(j) Requires the office of the fire fighters' pension commissioner, at least quarterly until final disposition of the complaint, to notify the person filing the complaint and each person who is a subject of the complaint of the status of the investigation unless the notice would jeopardize an undercover investigation.

(k) Requires the fire fighters' pension commissioner or the commissioner's designee to provide to employees of the office of fire fighters' pension commissioner information and training on the benefits and methods of participation in the state employee incentive program.

SECTION 4. Amends Sections 20(a), (c), and (e), Texas Statewide Emergency Services Retirement Act (Article 6243e.3, V.T.C.S.), as follows:

(a) Requires one of the six trustee members of the fund to represent emergency medical services personnel.

(c) Provides that a person is ineligible for appointment as a member of the state board of trustees if the person or the person's spouse is employed by or participates in the management of a business entity or other organization regulated by or receiving funds from the board or the funds.

(e) Makes a nonsubstantive change.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: September 1, 2001, except as provided by this section.

Provides that Section 21(d), Article 6243e, V.T.C.S., as amended by this Act, takes effect on the effective date of the constitutional amendment providing for a four-year term of office for the fire fighters' pension commissioner, as proposed by the 77th Legislature, Regular Session, 2001, but is contingent on the approval of that amendment by the voters.