

## **BILL ANALYSIS**

Senate Research Center

S.B. 1896  
By: Gallegos  
Intergovernmental Relations  
8/11/2009  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, Chapter 143 (Municipal Civil Service for Firefighters and Police Officers), Local Government Code, provides a comprehensive administrative scheme for municipal firefighters and police officers upon local adoption by voters. Certain sections of the Local Government Code have provided a four-step grievance procedure for firefighters and police officers in municipalities of 1.5 million or more for the past 24 years.

S.B. 1896 amends current law relating to the employment of firefighters and police officers and the provision of emergency medical services in certain municipalities.

### **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 Subchapter A, Chapter 143, Local Government Code, by adding Section 143.0052, as follows:

Sec. 143.0052. FEE FOR EMERGENCY MEDICAL SERVICES. (a) Provides that this section only applies to a municipality that has a population of more than 200,000 and less than 250,000, is located in a county in which another municipality that has a population of more than one million is predominately located, and whose emergency medical services are administered by a fire department.

(b) Authorizes a municipality, by resolution of its governing body, to establish a monthly fee for the costs of emergency medical services, including salary and overtime related to medical personnel. Provides that this fee is applicable to each and every customer served by a municipal water account and is authorized to be collected in conjunction with the bill for water services.

(c) Provides that a municipality acting under this section supersedes any authority established under Chapter 286 (Hospital Districts Created by Voter Approval), Health and Safety Code.

SECTION 2. Amends Section 143.127(a), Local Government Code, to authorize a fire fighter or police officer, except as provided by this subsection, to file a grievance as provided by this subchapter that relates to any aspect of the fire fighter's or police officer's employment covered by this chapter, rather than authorizing the fire fighter or police officer to file a grievance that relates to the same aspects of the person's employment over which the civil service commission for the employees of the municipality who are not subject to this chapter would have lawful jurisdiction, including but not limited to a written or oral reprimand, transfers, job performance reviews, and job assignments.

SECTION 3. Amends Section 143.128, Local Government Code, by amending Subsection (a) and adding Subsection (f), as follows:

(a) Requires a fire fighter or police officer, to begin a grievance action, to file a completed written step I grievance form with person's department head or departmental

grievance counselor within 30 days after the date the fire fighter or police officer knew or should have known of the action or inaction for which the person feels aggrieved occurred.

(f) Requires the chief or department head of a fire or police department (department head), if the supervisor does not provide the response required by Subsection (d) (relating to a written response to a fire fighter or police officer after a meeting) before the 16th day after the date the meeting occurs, to sustain the fire fighter's or police officer's grievance.

SECTION 4. Amends Section 143.129, Local Government Code, by adding Subsection (e), to require the department head, if the department head or the department head's representative does not provide the response required by Subsection (c) (relating to a written response to a fire fighter or police officer after a meeting) before the 16th day after the date the meeting occurs, to sustain the fire fighter's or police officer's grievance.

SECTION 5. Amends Section 147.002, Local Government Code, to redefine "firefighter," "firefighter employee group," "police officer," and "police officer employee group."

SECTION 6. Provides that the changes in law made by this Act to Sections 143.127, 143.128, and 143.129, Local Government Code, apply only to grievances filed on or after the effective date of this Act. Provides that a grievance filed before the effective date of this Act is governed by the law in effect on the date the grievance was filed, and the former law is continued in effect for that purpose.

SECTION 7. Effective date: September 1, 2009.