

## **BILL ANALYSIS**

C.S.H.B. 2001  
By: Canales  
Homeland Security & Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, when a commissioned officer of the Department of Public Safety goes in front of the Public Safety Commission for a hearing on the appeal of a disciplinary action, they are not guaranteed the ability to fully lay out their testimony and evidence to the commission. This presents an issue of fairness to the officers. C.S.H.B. 2001 seeks to guarantee an officer the right to present testimony and evidence to the commission during a hearing and provides a pathway for a discharged officer to be reinstated with back pay if their discharge was modified or set aside on the basis of the evidence they present at the hearing.

### **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**

C.S.H.B. 2001 amends the Government Code to require that a commissioned officer of the Department of Public Safety (DPS) who is the subject of a disciplinary action be allowed to present testimony and evidence to the Public Safety Commission at a hearing on the appeal of the action within DPS. The bill includes a modification of the discharge of a commissioned officer among the actions the commission may take on the basis of evidence presented at a public hearing. If the commission sets aside or modifies a discharge, the commission may award back pay for all or part of the period during which the officer was suspended without pay.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2001 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision not in the original to authorize the commission to modify the discharge of a commissioned officer on the basis of evidence presented at a public disciplinary hearing and, if applicable, to award back pay for all or part of the period during which an officer was suspended without pay.