

## **BILL ANALYSIS**

Senate Research Center  
79R14042 YDB-D

H.B. 2640  
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Intergovernmental Relations  
5/20/2005  
Engrossed

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

Added during the 70th Legislature, Regular Session, 1987, Section 143.003, Local Government Code, set forth a definition for fire fighter. Nevertheless, a question existed as to whether administrative staff associated with fire fighting and prevention were included in this definition. On March 17, 2003, Attorney General Greg Abbot released opinion No. GA-0041 stating that a fire fighter is "a fire department member whose position requires substantial knowledge of fire fighting" and is therefore entitled to civil service protection in municipalities that have adopted the civil service statute under Chapter 143 of the Local Government Code. A person who is not required to have substantial knowledge in fire fighting is therefore not protected by civil service statutes.

H.B. 2640 codifies AG opinion No. GA-0041 in Section 143.003(4), Local Government Code.

### **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 143.003(4), Local Government Code, to redefine "fire fighter."

SECTION 2. Effective date: September 1, 2005.