

SUBJECT: Preference for children of fire fighters who died in the line of duty

COMMITTEE: Urban Affairs — favorable, without amendment

VOTE: 7 ayes — Talton, Wong, A. Allen, Bailey, Blake, Menendez, Rodriguez
0 nays

SENATE VOTE: On final passage, April 21 — 31-0, on Local and Uncontested Calendar

WITNESSES: (*On House companion bill, HB 2712:*)
For — Johnny Villarreal, Houston Fire Fighters Local 341
Against — None

BACKGROUND: Local Government Code, sec. 143.025 requires the Fire Fighters' and Police Officers' Civil Service Commission to administer entrance examinations to establish eligibility lists for beginning positions in fire and police departments in municipalities with populations greater than 10,000 that have adopted the chapter.

DIGEST: SB 1421 would place a child of a fire fighter who died in the line of duty in a city covered by municipal civil service at the top of any eligibility list for a beginning fire fighter position provided that the child received a passing grade on the examination. The person would have to satisfy all of the other requirements for eligibility contained in the chapter. The commission would be required to promulgate rules to verify an applicant's eligibility for the preference.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2005.

SUPPORTERS SAY: SB 1421 would honor those fire fighters who died in the line of duty in a city covered by municipal civil service by helping their children to follow them into careers as fire fighters. In many fire fighter families, the commitment to serving the public as a fire fighter is passed down from one generation to the next. The bill would help the child of a fire fighter

who died in the line of duty to realize the person's dream of becoming a fire fighter.

SB 1421 would not compromise the quality of fire departments. Children of fire fighters who died in the line of duty still would be required to receive passing scores on the entrance examination and meet all other eligibility criteria. Moreover, these people often are among the top fire fighters in their classes because they have grown up surrounded by information about fire fighting and often are motivated by a desire to prove themselves to be as good a fire fighter as their parent. The preference would be applied relatively infrequently because only a small number of fire fighters are killed in the line of duty, and it would not affect a veteran's opportunity to be hired because most departments hire several people at a time.

OPPONENTS
SAY:

SB 1421 could compromise the quality of fire departments by giving preference to candidates who barely passed the examination over those who received much higher grades. The bill also could give these people preference over a military veteran, who is entitled to a five-point bonus on the examination and may have undergone considerable sacrifice to serve the country.

NOTES:

The companion bill, HB 2712 by Bailey, was reported favorably, without amendment, by the Urban Affairs Committee on April 12.