

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1783  
By: Gallegos  
Intergovernmental Relations  
4/14/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, the purpose of protective order language as it applies to the mediation process is that there is a need to protect information that comes out of a voluntary internal mediation process in police departments in certain municipalities. Questions have arisen as to the legal validity of protective orders emerging from voluntary internal mediation processes. C.S.S.B. 1783 would establish provisions regarding police department mediation in certain municipalities and its effect on time schedules for appeals.

### **PURPOSE**

As proposed, C.S.S.B. 1783 establishes provisions regarding police department mediation in certain municipalities and its effect on time schedules for appeals.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 143.135, Local Government Code, as follows:

Sec. 143.135. MEDIATION AND ITS EFFECT ON TIME SCHEDULES FOR APPEALS. Requires the police department head to have the authority to develop and implement an alternative means of resolution of police officer discipline and training through a program of mediation. Sets forth timing dates and deadlines for the imposition of discipline and appeals, in order to retain the benefits of such an effective alternative approach. Provides that all other time frames and deadlines remain unchanged as required by this chapter. Requires all mediation to be conducted in accordance with state law and police department rules and guidelines. Establishes that all communications, records, conduct, and demeanor of the mediator or the parties are confidential. Sets forth relevant information regarding a case considered to be confidential and that may or may not be disclosed. Provides that a mediator may not be required to testify in a proceeding concerning certain relevant information regarding the mediation. Provides that all meetings or other procedures are exempt from the 48 hours or other notice requirements mandated by this chapter, from the inception through actual mediation.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Amends Section 143.135, Local Government Code, to include appeals under Section 143.118, in order to retain the benefits of such an effective alternative approach.