

SB366 INTRODUCED



1 SB366
2 PSPYUER-1
3 By Senator Coleman
4 RFD: County and Municipal Government
5 First Read: 11-Mar-26



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SYNOPSIS:

This bill would create the Municipal Firefighters' Bill of Rights.

This bill would provide minimum standards for investigations of improper conduct or disciplinary actions that may result in termination, demotion, or other disciplinary action that could result in loss of pay or status.

This bill would provide that a firefighter is not required to make disclosures about personal assets or finances in relation to a promotion or job assignment.

This bill would require a firefighter to be notified of a pending personnel action.

This bill would provide that a firefighter may engage in political activities when off duty or otherwise not acting in his or her official capacity.

This bill would also prohibit penalizing a firefighter for exercising his or her rights.

A BILL
TO BE ENTITLED
AN ACT



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29 Relating to municipal fire departments; to create the
30 Municipal Firefighters' Bill of Rights; to provide minimum
31 standards for investigations of improper conduct or
32 disciplinary actions; to provide that a firefighter shall not
33 be required to make certain disclosures for the purpose of
34 promotion or job assignment; to require notification of
35 pending personnel action; to provide a firefighter may engage
36 in political activity when not on duty; and to provide that a
37 firefighter shall not be penalized for exercising his or her
38 rights.

39 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

40 Section 1. (a) The Municipal Firefighters' Bill of
41 Rights is created.

42 (b) A municipality may adopt a local ordinance
43 establishing any or all of the rights and procedures
44 prescribed under this act as a guide for negotiating personnel
45 issues with municipal firefighters.

46 Section 2. For the purposes of this act, the following
47 terms have the following meanings:

48 (1) FIREFIGHTER. A public servant vested by law with
49 the primary duty of fighting fires and providing fire
50 protection services to a municipality.

51 (2) FORMAL PROCEEDING. A proceeding heard before any
52 officer, committee, or other body of municipal government with
53 the authority to take disciplinary action against a
54 firefighter.

55 (3) OFFICIAL DEPARTMENTAL CHARGES. A written document
56 from the fire chief or other lawful authority notifying the



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57 accused firefighter that charges of misconduct have been made
58 against him or her and setting forth the specifics of the
59 alleged misconduct.

60 Section 3. When a firefighter is under investigation
61 for alleged improper conduct with a possible result of
62 termination, demotion, or other disciplinary action causing
63 loss of pay or status, the following minimum standards may
64 apply to the investigation:

65 (1) Adverse inference shall not be drawn and no
66 punitive action shall be taken from a refusal of the
67 firefighter being investigated to participate in the
68 investigation or to be interrogated other than when the
69 firefighter is on duty or is otherwise fully compensated for
70 the time spent in accordance with municipal and departmental
71 overtime policy, state law, and federal law.

72 (2) The interrogation of a firefighter shall take place
73 at any of the following locations:

- 74 a. The office of those conducting the investigation.
75 b. The place where the firefighter reports for duty.
76 c. Another reasonable place as the investigator may
77 determine.

78 (3) The firefighter being investigated shall be
79 informed at the commencement of his or her interrogation of
80 all of the following information:

- 81 a. The nature of the investigation.
82 b. The identity and authority of the individual or
83 individuals conducting the investigation.
84 c. The identity of all individuals present during the



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85 interrogation.

86 (4) During the interrogation of a firefighter,
87 questions shall be posed by or through only one interrogator
88 at a time.

89 (5) The interrogation of a firefighter in connection
90 with an investigation shall be for a reasonable period of time
91 and shall allow for reasonable periods for the rest and
92 personal necessities of the firefighter.

93 (6) No threat, harassment, promise, or reward shall be
94 made to a firefighter in connection with an investigation in
95 order to induce the answering of any questions that the
96 firefighter has a legal right to refrain from answering,
97 however immunity from prosecution may be offered to induce a
98 response.

99 (7)a. An interrogation of a firefighter in connection
100 with an investigation against him or her shall be recorded in
101 full.

102 b. A firefighter may make his or her own independent
103 recording of the interrogation and may have one witness of his
104 or her choosing present who shall be either of the following:

105 1. An attorney.

106 2. A member of the fire department who is not related
107 in any way to the matter under investigation.

108 (8) A formal proceeding with the authority to
109 administer disciplinary action against a firefighter shall not
110 be held unless official departmental charges are brought
111 against the firefighter.

112 (9) Official departmental charges shall contain all of



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113 the following information:

114 a. Specific conduct that is alleged to be improper.

115 b. Date and time of the alleged misconduct.

116 c. Witnesses whose information provided the basis for
117 the charges.

118 d. Specific rules, regulations, orders, or laws alleged
119 to have been violated.

120 (10)a. A firefighter under official departmental
121 charges is entitled to a predisciplinary hearing before the
122 fire chief, if disciplinary action is being considered.

123 b. The firefighter may select one individual of his or
124 her choosing to be present at the predisciplinary hearing.

125 (11) A formal proceeding under which a firefighter may
126 be penalized shall not be brought except upon charges signed
127 by the individual making those charges.

128 Section 4. Except under exigent circumstances, a
129 firefighter shall be notified of a pending personnel action by
130 written official departmental charges a reasonable time before
131 any action is taken when a personnel action may result in the
132 loss of pay, benefits, or status.

133 Section 5. A firefighter may not be required to
134 disclose any of the following information as it relates to the
135 firefighter or a member of the firefighter's household for the
136 purpose of promotion or assignment:

137 (1) An item of his or her property.

138 (2) Income.

139 (3) Assets.

140 (4) Debts.



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141 (5) Expenditures.

142 Section 6. Except when on duty or acting in his or her
143 official capacity, a municipal firefighter may not be
144 prohibited from engaging in political activity or denied the
145 right to refrain from engaging in political activity.

146 Section 7. (a) A firefighter may not be penalized or
147 threatened with a penalty for exercising his or her rights
148 under this act.

149 (b) This act is not an exclusive legal remedy for a
150 firefighter with respect to any rights the firefighter has
151 under this act.

152 Section 8. This act shall become effective on October
153 1, 2026.