

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 772
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Intergovernmental Relations
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Chapter 142, Local Government Code, authorizes a municipality to adopt "meet and confer" rights for its police officers if the municipality has a population of 50,000 or more or has adopted Chapter 143 (Municipal Civil Service for Fire Fighters and Police Officers), but this law excluded certain municipalities that had adopted collective bargaining, including San Antonio. However, collective bargaining in San Antonio does not apply to park and airport police officers, leaving these officers with no method of negotiation.

C.S.S.B. 772 provides meet and confer authority for certain park and airport police officers through peace officers associations.

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 142.051(b), Local Government Code, to provide an exception for this subchapter (regarding general provisions relating to assistance, benefits, and working conditions of municipal officers and employees) as provided by Section 142.069.

SECTION 2. Amends Subchapter B, Chapter 142, Local Government Code, by adding Section 142.069, as follows:

Sec. 142.069. CERTAIN PEACE OFFICERS EMPLOYED BY MUNICIPALITY. (a) Provides that this section applies only in relation to peace officers employed as park police or airport police in a municipality with a population of one million or more that has adopted Chapter 174 (Fire and Police Employee Relations). Provides that this section does not apply in relation to members of the police department.

(b) Defines "peace officer" and "peace officers association."

(c) Requires the governing body of a municipality to perform the following actions not later than the 30th day after the date the governing body receives from a peace officers association (association) a petition signed by the majority of all peace officers employed by a department of the municipality other than the police department, excluding the head of the affected department, that requests recognition of the association as the sole and exclusive bargaining agent for all peace officers employed in that department, excluding the head of the department:

(1) grant recognition of the association as requested in the petition and determine by majority vote that a public employer may meet and confer with the association under this subchapter without conducting an election by the voters in the municipality under the procedures prescribed by Section 142.055 (Election to Authorize Operating Under this Subchapter (Local Control of Police Officer Employment Matters in Certain Municipalities));

(2) defer granting recognition of the association and order an election by the voters in the municipality held under the procedures prescribed by Section 142.055 regarding whether a public employer may meet and confer with the association under this subchapter; or

(3) order a certification election held under the procedures prescribed by Section 142.054 (Certification Election) to determine whether the association represents a majority of the affected peace officers.

(d) Requires a separate petition to be submitted under Subsection (c) for each department's peace officers if more than one department within a municipality, excluding the police department, employs peace officers.

(e) Requires the governing body of a municipality, if it orders a certification election under Subsection (c)(3) and the association named in the petition is certified to represent a majority of the peace officers of the affected municipal department, to, not later than the 30th day after the date the results of that election are certified, grant recognition of the association as requested in the petition and determine by majority vote that a public employer may meet and confer with the association under this subchapter without conducting an election by the voters in the municipality under the procedures prescribed by Section 142.055 or defer granting recognition of the association and order an election by the voters in the municipality held under the procedures prescribed by Section 142.055 regarding whether a public employer may meet and confer with the association under this subchapter.

(f) Requires the ballot for an election ordered under this section and held under the procedures prescribed by Section 142.055 to be printed to permit voting for against the proposition. Sets forth the language of the ballot.

(g) Provides that, if a municipality recognizes an association under this section, this subchapter, including Section 142.059 (General Provisions Relating to Agreements), applies to a municipality, the recognized association for the affected municipal department, and the affected peace officers in the same manner as it applies to a police officers association and police officers. Requires the wording of any ballot proposition not covered by Subsection (f) to be conformed accordingly.

SECTION 3. Effective date: September 1, 2007.