

## **BILL ANALYSIS**

Senate Research Center  
86R8041 MP-F

S.B. 681  
By: Alvarado  
Intergovernmental Relations  
4/12/2019  
As Filed

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

S.B. 681 amends the Local Government Code to allow first responders to create a standard for negotiation based on comparable public, rather than private, sector employees across Texas. As a result, Texas will ensure that public sector employees are receiving equal and comparable compensation. Chapter 174, Local Government Code, commonly referred to as the Fire and Police Employee Relations Act (FPERA) provides a standard for negotiation to municipal first responders upon local adoption by voters. FPERA has long required that political subdivisions that adopt the Act provide their first responders with compensation and other conditions of employment that are essentially the same as comparable private sector employment. This requirement, however, does not account for the fact that first responders are primarily part of the public sector.

First responders should be able to utilize the compensation and working conditions of other public sector employees from around Texas as comparable standards. These professions have specific skills, training, and expectations that are not entirely replicated in private sector employment. Therefore, the comparison of these professions is essential to ensure that proper compensation and employment conditions are in place for first responders across Texas. When FPERA was adopted, the intention was to allow first responders to compare compensation and working conditions to the various building trades. As time has passed, however, many of these comparable building trades have ceased to exist. These changes have left first responders with few professions to compare salary and employment conditions with.

As proposed, S.B. 681 amends current law relating to the criteria to determine compensation and conditions of employment of firefighters and police officers of certain political subdivisions.

### **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 174.002(a), Local Government Code, as follows:

(a) Provides that the policy of this state is that a political subdivision is required to provide its fire fighters and police officers with compensation and other conditions of employment that are substantially equal to compensation and other conditions of employment that prevail in comparable fire and police departments, rather than substantially the same as compensation and terms of employment prevailing in comparable private sector employment.

SECTION 2. Amends Section 174.021, Local Government Code, as follows:

Sec. 174.021. New heading: COMPENSATION AND WORKING CONDITIONS REQUIRED. Requires a political subdivision that employs fire fighters, police officers, or both, to provide those employees with compensation and other conditions of employment that are substantially equal to compensation and other conditions of employment that prevail in comparable fire or police departments, as applicable. Deletes

existing text requiring a political subdivision that employs fire fighters, police officers, or both to provide those employees with compensation and other conditions of employment that are substantially equal to compensation and other conditions of employment that prevail in comparable employment in the private sector and based on prevailing private sector compensation and conditions of employment in the labor market area in other jobs that require the same or similar skills, ability, and training and may be performed under the same or similar conditions.

SECTION 3. Effective date: September 1, 2019.