

By: Whitmire, Alvarado

S.B. No. 736

A BILL TO BE ENTITLED

AN ACT

relating to mandatory arbitration for certain municipal fire departments and employee bargaining agents.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 174.153(a), Local Government Code, is amended to read as follows:

(a) Except as provided by Section 174.1535, a [A] public employer or an association that is a bargaining agent may request the appointment of an arbitration board if:

(1) the parties:

(A) reach an impasse in collective bargaining; or

(B) are unable to settle after the appropriate lawmaking body fails to approve a contract reached through collective bargaining;

(2) the parties made every reasonable effort, including mediation, to settle the dispute through good-faith collective bargaining; and

(3) the public employer or association gives written notice to the other party, specifying the issue in dispute.

SECTION 2. Subchapter E, Chapter 174, Local Government Code, is amended by adding Section 174.1535 to read as follows:

Sec. 174.1535. MANDATORY ARBITRATION. (a) This section applies only to:

(1) a fire department that serves a municipality with

1 a population of 1.9 million or more; and

2 (2) an association that is a bargaining agent for the
3 employees of a fire department described by Subdivision (1).

4 (b) A public employer and an association that is a
5 bargaining agent shall submit to binding interest arbitration if
6 the parties:

7 (1) reach an impasse in collective bargaining; or

8 (2) are unable to settle after the 61st day after the
9 date the appropriate lawmaking body fails to approve a contract
10 reached through collective bargaining.

11 (c) Each party shall send to the other party a written
12 notice specifying each issue in dispute for purposes of binding
13 arbitration not later than the fifth day after:

14 (1) the date an impasse was reached under Section
15 174.152;

16 (2) the expiration of an extension period under
17 Section 174.152; or

18 (3) the expiration of the period described by
19 Subsection (b)(2).

20 (d) A notice under Subsection (c) is considered sent on the
21 date the notice is placed in the mail, personally delivered, or
22 transmitted by e-mail or any other means of electronic transfer.

23 SECTION 3. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2023.