

1-1 By: Whitmire S.B. No. 736
 1-2 (In the Senate - Filed February 7, 2023; March 1, 2023, read
 1-3 first time and referred to Committee on Local Government;
 1-4 March 21, 2023, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 6, Nays 1; March 21, 2023,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|-----------------|-----|-----|--------|-----|
| 1-8 Bettencourt | X | | | |
| 1-9 Springer | X | | | |
| 1-10 Eckhardt | | X | | |
| 1-11 Gutierrez | | | X | |
| 1-12 Hall | X | | | |
| 1-13 Nichols | X | | | |
| 1-14 Parker | X | | | |
| 1-15 Paxton | | | X | |
| 1-16 West | X | | | |

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 736 By: Springer

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to mandatory arbitration for certain municipal fire
 1-22 departments and employee bargaining agents.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 174.153(a), Local Government Code, is
 1-25 amended to read as follows:

1-26 (a) Except as provided by Section 174.1535, a [A] public
 1-27 employer or an association that is a bargaining agent may request
 1-28 the appointment of an arbitration board if:

1-29 (1) the parties:

1-30 (A) reach an impasse in collective bargaining; or

1-31 (B) are unable to settle after the appropriate

1-32 lawmaking body fails to approve a contract reached through

1-33 collective bargaining;

1-34 (2) the parties made every reasonable effort,

1-35 including mediation, to settle the dispute through good-faith

1-36 collective bargaining; and

1-37 (3) the public employer or association gives written

1-38 notice to the other party, specifying the issue in dispute.

1-39 SECTION 2. Subchapter E, Chapter 174, Local Government

1-40 Code, is amended by adding Section 174.1535 to read as follows:

1-41 Sec. 174.1535. MANDATORY ARBITRATION. (a) This section

1-42 applies only to:

1-43 (1) a fire department that serves a municipality with

1-44 a population of 1.9 million or more; and

1-45 (2) an association that is a bargaining agent for the

1-46 employees of a fire department described by Subdivision (1).

1-47 (b) A public employer and an association that is a

1-48 bargaining agent shall submit to binding interest arbitration if

1-49 the parties:

1-50 (1) reach an impasse in collective bargaining; or

1-51 (2) are unable to settle after the 61st day after the

1-52 date the appropriate lawmaking body fails to approve a contract

1-53 reached through collective bargaining.

1-54 (c) Each party shall send to the other party a written

1-55 notice specifying each issue in dispute for purposes of binding

1-56 arbitration not later than the fifth day after:

1-57 (1) the date an impasse was reached under Section

1-58 174.152; or

1-59 (2) the expiration of an extension period under

1-60 Section 174.152; or

2-1 (3) the expiration of the period described by
2-2 Subsection (b)(2).

2-3 (d) A notice under Subsection (c) is considered sent on the
2-4 date the notice is placed in the mail, personally delivered, or
2-5 transmitted by e-mail or any other means of electronic transfer.

2-6 SECTION 3. This Act takes effect immediately if it receives
2-7 a vote of two-thirds of all the members elected to each house, as
2-8 provided by Section 39, Article III, Texas Constitution. If this
2-9 Act does not receive the vote necessary for immediate effect, this
2-10 Act takes effect September 1, 2023.

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