

Amend **CSSB 772** by striking all below the enacting clause and substituting the following:

SECTION 1. Chapter 142, Local Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. LOCAL CONTROL OF AIRPORT PEACE OFFICER AND PARKS
PEACE OFFICER EMPLOYMENT MATTERS IN CERTAIN MUNICIPALITIES

Sec. 142.151. APPLICABILITY. (a) This subchapter applies only to a municipality with a population of more than one million that:

(1) has adopted Chapter 174; and

(2) is not covered by Chapter 146.

(b) This subchapter does not apply to:

(1) a police officer who is covered by an agreement adopted under Subchapter H, I, or J of Chapter 143 or under Chapter 174; or

(2) a municipality that has a population of one million or more and has not adopted Chapter 143.

(c) This subchapter applies only in relation to peace officers employed as municipal parks and recreation peace officers or airport peace officers.

Sec. 142.152. DEFINITIONS. In this subchapter:

(1) "Peace officer" means a peace officer under Article 2.12, Code of Criminal Procedure.

(2) "Peace officers association" means an employee organization in which peace officers employed by a municipal department other than the police department participate that exists for the purpose, wholly or partly, of dealing with the municipality concerning grievances, labor disputes, wages, rates of pay, hours of work, or conditions of work affecting peace officers.

Sec. 142.153. MEET AND CONFER PROCESS; AGREEMENTS. A municipality may design a meet and confer process and enter into a written agreement with a peace officers association recognized in accordance with the process as the sole and exclusive bargaining agent of a peace officers bargaining unit, under terms and conditions established by the municipality in accordance with this subchapter.

Sec. 142.154. GENERAL PROVISIONS. (a) A municipality that

designs a meet and confer process under this subchapter may not be denied local control over wages, salaries, rates of pay, hours of work, other terms and conditions of employment, or other state-mandated personnel issues covered by a meet and confer agreement. A municipality may enter into a written agreement governing these issues with a peace officers association recognized under the municipality's meet and confer process as the sole and exclusive bargaining agent for a peace officers bargaining unit that does not advocate the illegal right to strike by municipal employees.

(b) The municipality may establish procedures the municipality considers necessary and proper for the implementation of this subchapter, including procedures for an election by the voters in the municipality regarding whether the municipality may meet and confer under this subchapter.

Sec. 142.155. STRIKES PROHIBITED. (a) A peace officer, peace officers representative, or peace officers association subject to this subchapter may not, either independently or jointly, declare or engage in a strike or organized work stoppage against this state or the municipality.

(b) A peace officer subject to this subchapter who participates in a strike forfeits any civil service rights, reemployment rights, and other rights, benefits, or privileges the peace officer may have as a result of the peace officer's employment or prior employment with the municipality.

(c) This section does not affect the right of a person to cease work if the person is not acting in concert with others in an organized work stoppage.

Sec. 142.156. ENFORCEABILITY OF AGREEMENT. A state district court of a judicial district in which the municipality is located has jurisdiction to hear and resolve a dispute under a ratified written meet and confer agreement on the application of a party to the agreement aggrieved by an action or omission of the other party when the action or omission is related to a right, duty, or obligation provided by the agreement. The court may issue proper restraining orders, temporary and permanent injunctions, or any other writ, order, or process, including contempt orders, that are

appropriate to enforcing the agreement.

Sec. 142.157. AGREEMENT SUPERSEDES CONFLICTING PROVISIONS.

A written meet and confer agreement ratified under this subchapter preempts, during the term of the agreement and to the extent of any conflict, all contrary state statutes or rules adopted by this state regarding wages, hours of work, and other conditions of employment, other than a statute or rule regarding pensions or pension-related matters.

SECTION 2. This Act takes effect September 1, 2007.