

By: Bailey

H.B. No. 2330

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the applicability of the Fire and Police Employee
3 Relations Act in recently incorporated political subdivisions to
4 certain fire fighters covered by preexisting collective bargaining
5 agreements.

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

7 SECTION 1. Subchapter C, Chapter 174, Local Government
8 Code, is amended by adding Section 174.0511 to read as follows:

9 Sec. 174.0511. ADOPTION ELECTION UNNECESSARY IN CERTAIN
10 CIRCUMSTANCES. If a private corporation employs fire fighters who
11 are covered by a collective bargaining agreement negotiated under
12 the National Labor Relations Act (29 U.S.C. Section 151 et seq.) to
13 provide fire protection services in an unincorporated area and
14 during the term of the collective bargaining agreement the area
15 incorporates as a political subdivision:

16 (1) the fire fighters who are covered by the
17 preexisting collective bargaining agreement become the political
18 subdivision's fire fighters and employees of the political
19 subdivision;

20 (2) this chapter is considered automatically adopted
21 in relation to the political subdivision's fire fighters and
22 applies to the political subdivision's fire fighters without the
23 necessity of an adoption election under Section 174.051;

24 (3) the preexisting collective bargaining agreement

1 is given effect for the remainder of the agreement's term and
2 applies to the political subdivision and its fire fighters as if the
3 agreement had been negotiated by the political subdivision under
4 this chapter; and

5 (4) this chapter continues to apply to the political
6 subdivision's fire fighters unless the automatic adoption under
7 this section is repealed by a successful repeal election held under
8 Section 174.053.

9 SECTION 2. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2007.