

By: Menendez

H.B. No. 3434

A BILL TO BE ENTITLED

AN ACT

relating to collective bargaining by law enforcement officers and
firefighters.

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

SECTION 1. Section 174.003, Local Government Code, is
amended by adding Subdivisions (1-a), (1-b), and (2-a) and amending
Subdivision (3) to read as follows:

(1-a) "County jailer" has the meaning assigned by
Section 1701.001, Occupations Code.

(1-b) "Detention officer" has the meaning assigned by
Section 411.048, Government Code.

(2-a) "Peace officer" has the meaning assigned by
Section 1701.001, Occupations Code.

(3) "Police officer" means a paid employee who is
sworn, certified, and full-time, and who regularly serves in a
professional law enforcement capacity for a law enforcement agency
~~[in the police department]~~ of a political subdivision. The term:

(A) includes a peace officer, detention officer,
and county jailer; and

(B) does not include the chief of the law
enforcement agency ~~[department]~~.

SECTION 2. Section 174.023, Local Government Code, is
amended to read as follows:

Sec. 174.023. RIGHT TO ORGANIZE AND BARGAIN COLLECTIVELY.

1 (a) Fire [~~On adoption of this chapter or the law codified by this~~
2 ~~chapter by a political subdivision to which this chapter applies,~~
3 ~~fire~~] fighters, police officers, or both are entitled to organize
4 and bargain collectively with their public employer regarding
5 compensation, hours, and other conditions of employment.

6 (b) For fire fighters or police officers governed by a state
7 statute under which an association representing fire fighters,
8 police officers, or both, may enter into a meet and confer agreement
9 with a public employer, the association representing the fire
10 fighters, police officers, or both, as applicable, may, on the
11 expiration of a meet and confer agreement, elect at any time to
12 pursue collective bargaining under this chapter, except that if the
13 association enters into a subsequent meet and confer agreement
14 under another statute, the statute authorizing the meet and confer
15 agreement applies during the term of the agreement.

16 SECTION 3. Subchapter C, Chapter 174, Local Government
17 Code, is repealed.

18 SECTION 4. This Act takes effect September 1, 2009.