

By: Márquez

H.B. No. 3711

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the administration of oaths and issuance of subpoenas
3 in certain county or sheriff department employee grievance
4 proceedings.

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

6 SECTION 1. Section 158.0095, Local Government Code, is
7 amended by adding Subsection (f) to read as follows:

8 (f) An arbitrator or hearing officer authorized to hear a
9 grievance proceeding under a collective bargaining agreement
10 between a county and an employee association under Chapter 174 has
11 the authority to administer oaths and issue subpoenas in the manner
12 and to the extent authorized for the chairman of a commission under
13 this section, except that:

14 (1) except for good cause shown, a request under this
15 subsection must be made not later than the 10th day before the date
16 the proceeding will be held; and

17 (2) the following are not subject to a subpoena under
18 this subsection:

19 (A) a person who is actively engaged in providing
20 representation to a party to the proceeding; and

21 (B) notes and other documents prepared by a
22 person described by Paragraph (A) in the scope of the person's
23 representation.

24 SECTION 2. Section 158.0355, Local Government Code, is

1 amended by adding Subsection (f) to read as follows:

2 (f) An arbitrator or hearing officer authorized to hear a
3 grievance proceeding under a collective bargaining agreement
4 between a department and an employee association under Chapter 174
5 has the authority to administer oaths and issue subpoenas in the
6 manner and to the extent authorized for the chairman of a commission
7 under this section, except that the following are not subject to a
8 subpoena under this subsection:

9 (1) a person who is actively engaged in providing
10 representation to a party to the proceeding; and

11 (2) notes and other documents prepared by a person
12 described by Subdivision (1) in the scope of the person's
13 representation.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2015.