By: Zaffirini S.B. No. 400

A BILL TO BE ENTITLED

AN ACT

relating to collective bargaining rights and procedures for certain employees of a political subdivision.

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

SECTION 1. Section 174.003(3), Local Government Code, is amended to read as follows:

(3) "Police officer" means a paid employee who is [~~sworn,~~] certified or licensed by the Texas Commission on Law Enforcement, and full-time, and who regularly serves in a professional law enforcement capacity in the police department of a political subdivision, the office of a district attorney as an investigator, or the office of the county fire marshal. The term does not include the chief of the department. The term includes:

(A) a peace officer licensed by the Texas Commission on Law Enforcement; and

(B) a county jailer licensed by the Texas Commission on Law Enforcement and appointed or employed by a political subdivision for the care and custody of individuals incarcerated in a county jail.

SECTION 2. Section 174.104, Local Government Code, is amended to read as follows:

Sec. 174.104. QUESTION REGARDING REPRESENTATION. (a) A question of whether an association is the majority representative of the employees of a department under Sections 174.101-174.103 may

be raised by the public employer or another association. The question of representation shall be resolved by a fair election conducted according to procedures agreed on by the parties.

(b) If the parties are unable to agree on election procedures under Subsection (a), a [~~either~~] party may request the American Arbitration Association to conduct the election and certify the results. The American Arbitration Association shall conduct the election and certify the results within 60 days of the request.

(c) Certification of the results of an election under this section shall resolve the question regarding representation. The public employer shall pay the expenses of the election, except that if two or more associations seek recognition as the bargaining agent, the associations shall pay the costs of the election equally.

SECTION 3. The change in law made by this Act applies to collective bargaining negotiations in progress on the effective date of this Act or started on or after the effective date of this Act.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2027.