

BILL ANALYSIS

H.B. 2672
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Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that collective bargaining can be expensive and time consuming without trial court requirements for resolving any impasse. H.B. 2672 seeks to address such a situation, in part, by requiring a public employer and a bargaining agent for fire fighters and police officers to submit to binding arbitration under certain conditions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2672 amends the Local Government Code to revise the compensation and other conditions of employment that a political subdivision that employs fire fighters, police officers, or both is required to provide those employees under the Fire and Police Employee Relations Act. The bill changes those requirements from a requirement to provide compensation and other conditions of employment that are substantially equal to those that prevail in comparable employment in the private sector and that are based on prevailing private sector compensation and conditions of employment in the labor market area in other jobs that require the same or similar skills, ability, and training and that may be performed under the same or similar conditions to a requirement to provide compensation and other conditions of employment that are substantially equal to those that prevail in comparable fire or police departments, as applicable.

H.B. 2672 replaces the authorization for a public employer or an association that is a bargaining agent to request the appointment of an arbitration board under certain conditions with a requirement that a public employer and an association that is a bargaining agent submit to binding interest arbitration if the parties reach an impasse in collective bargaining or are unable to settle after the 61st day after the date the appropriate lawmaking body fails to approve a contract reached through collective bargaining. The bill requires each party to send to the other party a written notice specifying each issue in dispute for purposes of binding arbitration by a certain deadline and provides for the deadline by which the notice is considered sent.

H.B. 2672 requires the public employer, not later than the fifth day after the date a party sends the notice, to immediately request a list of seven qualified neutral arbitrators from the American Arbitration Association or the Federal Mediation and Conciliation Service, or their successors in function. The bill authorizes the bargaining agent and the municipality, or their designees, to agree on one of the seven neutral arbitrators on the list and requires each party or the party's

designee to alternate striking a name from the list with the remaining name being the arbitrator if the parties do not agree on one of the seven neutral arbitrators within five working days after the date they received the list.

H.B. 2672 repeals a provision that establishes that the Fire and Police Employee Relations Act does not require compulsory arbitration.

H.B. 2672 repeals the following provisions of the Local Government Code:

- Section 174.153(c)
- Section 174.163
- Section 174.252

EFFECTIVE DATE

September 1, 2017.