

BILL ANALYSIS

C.S.H.B. 3439
By: Patterson
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Reports indicate that certain municipalities, and counties in other states, have adopted ordinances requiring the adoption of labor peace agreements as a condition of being considered for or awarded a contract or otherwise engaging in a commercial transaction with the municipality or county. It has been suggested that the adoption of such ordinances in Texas, which limit or otherwise interfere with an employer's rights under federal labor law, could illegitimately coerce a firm into accepting an agreement otherwise not desired. C.S.H.B. 3439 seeks to preempt the adoption of such an ordinance.

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

C.S.H.B. 3439 amends the Local Government Code to prohibit a municipality or county from adopting or enforcing a measure that requires a person to enter into an agreement with the person's employees or an entity that represents or seeks to represent those employees that limits or otherwise interferes with the person's rights under federal labor law or to waive or limit any of the person's rights under that law as a condition of being considered for or awarded a contract or otherwise engaging in a commercial transaction with the municipality or county.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3439 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes an agreement between a person and an entity that represents or seeks to represent the person's employees among the applicable labor peace agreements.