

## **BILL ANALYSIS**

H.B. 985  
By: Parker  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been suggested that when allocating state resources for approved state-funded projects, preference should not be based on whether the contract involves unionized labor or non-unionized labor. H.B. 985 seeks to address these concerns by prohibiting certain public entities from prohibiting, requiring, discouraging, or encouraging a bidder on certain state-funded public work contracts from entering into or adhering to an agreement with a collective bargaining organization relating to the project.

### **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. 985 amends the Education Code and the Government Code to prohibit a public institution of higher education and a governmental entity, respectively, from prohibiting, requiring, discouraging, or encouraging a person bidding on a public work contract funded with state money, including the issuance of state guaranteed debt, entry into or adherence to an agreement with a collective bargaining organization relating to the project. The bill prohibits such an institution or entity awarding such a public work contract from discriminating against such a person bidding on the contract based on the person's involvement in the agreement, including the person's status or lack of status as a party to the agreement or willingness or refusal to enter into the agreement. The bill expressly prohibits its provisions from being construed to prohibit activity protected by the federal National Labor Relations Act or to permit conduct prohibited under that act.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.