

## **BILL ANALYSIS**

Senate Research Center

S.B. 1212  
By: Gallegos  
Intergovernmental Relations  
4/28/2007  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law does not prohibit a municipal ordinance or a provision of a municipal charter from preempting, impairing, or otherwise restricting communications between individual firefighters or the officers of a firefighter's association and the elected members of the municipality's governing body.

As proposed, S.B. 1212 prohibits legislation regarding assistance, benefits, and working conditions of municipal officers and employees, legislation regarding local control of firefighter employment matters in certain municipalities, or a city ordinance or city charter provision from restricting communication between firefighters or a firefighter's association and the governing body of a municipality. This bill also provides a verification of signatures on a petition filed for the purpose of modifying the recognition of the firefighter's association as the authorized representative of the covered employees.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter C, Chapter 142, Local Government Code, by adding Section 142.100, as follows:

Sec. 142.100. Requires nothing within this statute (Assistance, Benefits, and Working Conditions of Municipal Officers and Employees), or a municipal ordinance, or a provision of a municipal charter to preempt, impair, or otherwise restrict communications between individual firefighters or the officer's [sic] of a firefighter's association and the elected members of the municipality's governing body.

SECTION 2. Amends Section 142.119, Local Government Code, to prohibit this subchapter (Local Control of Firefighter Employment Matters in Certain Municipalities) from being construed as repealing any existing benefit provided by statute or ordinance concerning the right to open and honest communications between the officers of a firefighter's association and the governing body of a municipality, except as expressly provided in a ratified meet and confer agreement.

SECTION 3. Amends Section 142.106(b), Local Government Code, to authorize the governing body of a municipality to recognize the change or modification as provided by the petition to modify or change the recognition of a firefighter's association if the petition signatures are verified by the American Arbitration Association or the Federal Mediation and Conciliation Service.

SECTION 4. Effective date: upon passage or September 1, 2007.