

SUBJECT: Requiring certain cities to allow payroll deductions for peace officers

COMMITTEE: Urban Affairs — committee substitute recommended

VOTE: 7 ayes — Talton, Wong, A. Allen, Bailey, Blake, Menendez, Rodriguez

0 nays

SENATE VOTE: On final passage, April 7 — 18-6 (Duncan, Jackson, Nelson, Seliger, Shapiro, Wentworth)

WITNESSES: For — Tom Gaylor, Texas Municipal Police Association; Charley Wilkison, Combined Law Enforcement Association of Texas

Against — None

BACKGROUND: Local Government Code, sec. 141.008 permits a city with a population greater than 10,000 to deduct employee association membership dues from an employee's wages upon written request by the employee. Cities that receive revenue from the state and permit deductions for purposes other than charity, health insurances, taxes, or other statutorily required purposes are required to make this deduction if requested by a fire fighter. A city may collect an administrative fee from each participating employee to cover the cost of the program. An employee may cancel the request by providing a written notice of revocation.

Local Government Code, ch. 143, subch. J, grants Houston the authority to "meet and confer" with the city's police officers to negotiate agreements on wages, benefits, and other city policies affecting these employees. Under sec. 143.357, the city may not stop or prevent automatic payroll deductions for employee association membership dues after a bargaining agent is recognized because the group is or is not the bargaining agent.

DIGEST: CSSB 716 would require a city that permits payroll deductions for purposes other than charity, health insurance, taxes, or other statutorily required purposes to deduct employee association membership dues from a peace officer's wages upon written request by the employee. The bill would not apply to police departments covered by collective bargaining

agreements or meet-and-confer agreements entered into under the Local Government Code.

The bill also would repeal sec. 143.357 of the Local Government Code.

The bill would take effect September 1, 2005.

**SUPPORTERS  
SAY:**

CSSB 716 would ensure that cities that allow employees the option of a wide variety of automatic payroll deductions also fairly offered a deduction for peace officer employee association dues. Peace officers, who often make considerable sacrifices to protect the public, should have the same right to automatic payroll deductions for their employee association dues as other employees have for causes or services important to them. The bill would not be a burden on cities because these cities already have systems set up for automatic payroll deductions and they would be able to charge an administrative fee to cover any costs.

Repealing Local Government Code, sec. 143.357 simply would ensure that there was no conflict between the bill's provisions and current statute. The bill would not apply to cities that are covered by meet-and-confer or collective bargaining agreements because these agreements already may cover this issue.

**OPPONENTS  
SAY:**

Cities already have the option of allowing automatic payroll deductions for peace officers. A city should be able to decide for itself whether to offer this service to employees. This is a local matter that should not be decided by the Legislature.

**NOTES:**

The committee substitute differs from the Senate-passed version of the bill by adding provisions that would exempt police departments covered by a collective bargaining agreement or meet and confer agreement and repeal section 143.357 of the Local Government Code.