

BILL ANALYSIS

Senate Research Center

S.B. 396
By: Gallegos
Intergovernmental Relations
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As Filed

DIGEST

Currently, an agreement between a municipality and a fire fighter's association is prohibited from diminishing any right of an employee under Subchapter H, Local Government Code, or other law unless approved by a majority vote by secret ballot of the members of the firefighter's association recognized as the bargaining agent. However, it may be unclear if an agreement is ratified if a majority of the votes cast in the membership election is in favor of ratification. This bill provides that an agreement may not diminish the rights of an employee unless approved by a secret ballot election of the members of the firefighter's association.

PURPOSE

As proposed, S.B. 396 provides that an agreement may not diminish the rights of an employee unless approved by a secret ballot election of the members of the fire fighter's association.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 143.207(c), Local Government Code, to authorize an agreement under Subchapter H, Chapter 143 of this code, not to diminish or qualify any right of an employee under this chapter or other law unless approved by a secret ballot election of the firefighter's association members, instead of a majority vote by secret ballot of the members. Provides that the agreement is approved if a majority of votes actually received in the election are in favor of adopting the agreement.

SECTION 2. Effective date: June 3, 1997.

SECTION 3. Emergency clause.