

By: Ellzey

H.B. No. 4195

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to unlawful employment practices with respect to the  
3 exercise of the right of free speech, right to petition, and right  
4 of association.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 21.055, Labor Code, is amended to read as  
7 follows:

8 Sec. 21.055. RETALIATION. (a) An employer, labor union, or  
9 employment agency commits an unlawful employment practice if the  
10 employer, labor union, or employment agency retaliates or  
11 discriminates against a person who, under this chapter:

- 12 (1) opposes a discriminatory practice;  
13 (2) makes or files a charge;  
14 (3) files a complaint; or  
15 (4) testifies, assists, or participates in any manner  
16 in an investigation, proceeding, or hearing.

17 (b) An employer, labor union, or employment agency commits  
18 an unlawful employment practice if the employer, labor union, or  
19 employment agency retaliates or discriminates against a person who  
20 engages in lawful conduct involving the exercise of civil rights  
21 guaranteed by the Constitution of the United States or of this  
22 state:

- 23 (1) during a period of time that is not during the  
24 person's assigned working hours; and

1           (2) in a location that is not the person's work site or  
2 on the premises of the employer, labor union, or employment agency.

3           SECTION 2. The change in law made by this Act applies only  
4 to an unlawful employment practice that occurs on or after the  
5 effective date of this Act.

6           SECTION 3. This Act takes effect September 1, 2021.