

AN ACT

relating to a prohibition against the appropriation of money to settle or pay a sexual harassment claim made against certain members of the executive, legislative, or judicial branch of state government and to a prohibition against the use of other public money to settle such a claim.

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

SECTION 1. Subtitle B, Title 5, Government Code, is amended by adding Chapter 576 to read as follows:

CHAPTER 576. PROHIBITION ON APPROPRIATION OF MONEY TO SETTLE OR PAY
SEXUAL HARASSMENT CLAIMS

Sec. 576.0001. PROHIBITION ON APPROPRIATION OF MONEY TO SETTLE OR PAY SEXUAL HARASSMENT CLAIMS. The legislature may not appropriate money and a state agency may not use appropriated money to settle or otherwise pay a sexual harassment claim made against a person who:

(1) is an elected member of the executive, legislative, or judicial branch of state government;

(2) is appointed by the governor to serve as a member of a department, commission, board, or other public office within the executive, legislative, or judicial branch of state government;

or

(3) serves as staff for a person described by Subdivision (1) or (2).

1 SECTION 2. Chapter 180, Local Government Code, is amended
2 by adding Section 180.008 to read as follows:

3 Sec. 180.008. PROHIBITION ON USE OF PUBLIC MONEY TO SETTLE
4 OR PAY SEXUAL HARASSMENT CLAIMS. (a) In this section, "political
5 subdivision" means a county, municipality, school district, other
6 special district, or other subdivision of state government.

7 (b) A political subdivision may not use public money to
8 settle or otherwise pay a sexual harassment claim made against a
9 person who is:

10 (1) an elected or appointed member of the governing
11 body of the political subdivision; or

12 (2) an officer or employee of the political
13 subdivision.

14 SECTION 3. Section 12.1058(a), Education Code, is amended
15 to read as follows:

16 (a) An open-enrollment charter school is considered to be:

17 (1) a local government for purposes of Chapter 791,
18 Government Code;

19 (2) a local government for purposes of Chapter 2259,
20 Government Code, except that an open-enrollment charter school may
21 not issue public securities as provided by Section 2259.031(b),
22 Government Code;

23 (3) a political subdivision for purposes of Chapter
24 172, Local Government Code; ~~and~~

25 (4) a local governmental entity for purposes of
26 Subchapter I, Chapter 271, Local Government Code; and

27 (5) a political subdivision for purposes of Section

1 180.008, Local Government Code.

2 SECTION 4. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 282 passed the Senate on April 29, 2021, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 27, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 282 passed the House, with amendments, on May 23, 2021, by the following vote: Yeas 145, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor