

By: West

S.B. No. 2627

A BILL TO BE ENTITLED

AN ACT

relating to certain proceedings and penalties associated with racial discrimination against persons.

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

SECTION 1. Sec. 51.014(a), Civil Practice and Remedies Code, is amended to read as follows:

(a) A person may appeal from an interlocutory order of a district court, county court at law, statutory probate court, or county court that:

(1) appoints a receiver or trustee;

(2) overrules a motion to vacate an order that appoints a receiver or trustee;

(3) certifies or refuses to certify a class in a suit brought under Rule 42 of the Texas Rules of Civil Procedure;

(4) grants or refuses a temporary injunction or grants or overrules a motion to dissolve a temporary injunction as provided by Chapter 65;

(5) denies a motion for summary judgment that is based on an assertion of immunity by an individual who is an officer or employee of the state or a political subdivision of the state;

(6) denies a motion for summary judgment that is based in whole or in part upon a claim against or defense by a member of the electronic or print media, acting in such capacity, or a person whose communication appears in or is published by the electronic or

1 print media, arising under the free speech or free press clause of  
2 the First Amendment to the United States Constitution, or Article  
3 I, Section 8, of the Texas Constitution, or Chapter 73;

4 (7) grants or denies the special appearance of a  
5 defendant under Rule 120a, Texas Rules of Civil Procedure, except  
6 in a suit brought under the Family Code;

7 (8) grants or denies a plea to the jurisdiction by a  
8 governmental unit as that term is defined in Section 101.001,  
9 except for an action filed under Chapter 106 of this code or Chapter  
10 21, Labor Code;

11 (9) denies all or part of the relief sought by a motion  
12 under Section 74.351(b), except that an appeal may not be taken from  
13 an order granting an extension under Section 74.351;

14 (10) grants relief sought by a motion under Section  
15 74.351(1);

16 (11) denies a motion to dismiss filed under Section  
17 90.007;

18 (12) denies a motion to dismiss filed under Section  
19 27.003;

20 (13) denies a motion for summary judgment filed by an  
21 electric utility regarding liability in a suit subject to Section  
22 75.0022;

23 (14) denies a motion filed by a municipality with a  
24 population of 500,000 or more in an action filed under Section  
25 54.012(6) or 214.0012, Local Government Code;

26 (15) makes a preliminary determination on a claim  
27 under Section 74.353;

1 (16) overrules an objection filed under Section  
2 148.003(d) or denies all or part of the relief sought by a motion  
3 under Section 148.003(f); or

4 (17) grants or denies a motion for summary judgment  
5 filed by a contractor based on Section 97.002.

6 SECTION 2. Section 106.002, Civil Practice and Remedies  
7 Code, is amended by adding Subsection (c) to read as follows:

8 (c) A prevailing party may recover punitive damages against  
9 a governmental employee, officer, or entity for a violation of this  
10 chapter. All defenses and immunities to such damages are waived in  
11 an action brought against a governmental employee, officer, or  
12 entity under this chapter.

13 SECTION 3. Section 106.003(b), Civil Practice and Remedies  
14 Code, is amended to read as follows:

15 (b) An offense under this section is a misdemeanor  
16 punishable by:

17 (1) a fine of not more than \$4,000 [~~\$1,000~~];

18 (2) confinement in the county jail for not more than  
19 one year; or

20 (3) both the fine and confinement.

21 SECTION 4. Section 21.201(g), Labor Code, is amended to  
22 read as follows:

23 (g) If a perfected complaint is ~~not~~ received by the  
24 commission within two years [~~180 days~~] of the alleged unlawful  
25 employment practice [~~or, for a complaint alleging sexual~~  
26 ~~harassment, within 300 days of the alleged sexual harassment~~], the  
27 commission shall notify the respondent that a complaint has been

1 filed and that the process of perfecting the complaint is in  
2 progress.

3 SECTION 5. Section 21.202(a), Labor Code, is amended to  
4 read as follows:

5 (a) A ~~[Except as provided by Subsection (a-1), a]~~ complaint  
6 under this subchapter must be filed not later than two years ~~[the~~  
7 ~~180th day]~~ after the date the alleged unlawful employment practice  
8 occurred.

9 SECTION 6. Section 21.253(a), Labor Code, is amended to  
10 read as follows:

11 (a) On receipt of a written request by a complainant, the  
12 commission shall immediately issue ~~[before the 181st day after the~~  
13 ~~date the complaint was filed]~~ a notice of the right to file a civil  
14 action ~~[if:~~

15 ~~[(1) the complainant alleges an unlawful employment~~  
16 ~~practice based on the complainant's status as an individual with a~~  
17 ~~life-threatening illness, as confirmed in writing by a physician~~  
18 ~~licensed to practice medicine in this state, or~~

19 ~~[(2) the executive director certifies that~~  
20 ~~administrative processing of the complaint cannot be completed~~  
21 ~~before the 181st day after the date the complaint was filed].~~

22 SECTION 7. Section 21.2585(b), Labor Code, is amended to  
23 read as follows:

24 (b) A complainant may recover punitive damages against a  
25 respondent, including ~~[other than]~~ a respondent that is a  
26 governmental entity, if the complainant demonstrates that the  
27 respondent engaged in a discriminatory practice with malice or with

reckless indifference to the state-protected rights of an aggrieved individual. A prevailing party may recover punitive damages against a governmental employee, officer, or entity for a violation of this chapter. All defenses and immunities to such damages are waived in an action brought against a governmental employee, officer, or entity.

SECTION 8. Subchapter F, Chapter 21, Labor Code, is amended by adding Section 21.263 to read as follows:

Sec. 21.263. OTHER CAUSES OF ACTION PERMITTED. A remedy under this chapter is not exclusive and this chapter does not preempt or otherwise bar a complainant from bringing any other statutory or common law cause of action against any other person or entity.

SECTION 9. The following provisions of the Labor Code are repealed:

- (1) Section 21.202(a-1);
- (2) Section 21.252; and
- (2) Sections 21.2585(d) and (e).

SECTION 10. This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.