

By: Chavez

H.B. No. 3379

A BILL TO BE ENTITLED

AN ACT

relating to employment discrimination based on certain employer-imposed language requirements.

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

SECTION 1. Subchapter B, Chapter 21, Labor Code, is amended by adding Section 21.0591 to read as follows:

Sec. 21.0591. DISCRIMINATION BASED ON CERTAIN EMPLOYER-IMPOSED LANGUAGE REQUIREMENTS. (a) An employer commits an unlawful employment practice if the employer requires an employee who is bilingual or multilingual to speak only the English language while at the workplace.

(b) An employer does not commit an unlawful employment practice under Subsection (a) by requiring an employee to speak the English language while the employee is dealing with customers, members of the public, or other persons who understand only the English language.

(c) If use of the English language is a bona fide occupational qualification reasonably necessary for the performance of a position of employment, an employer does not commit an unlawful employment practice under Subsection (a) by hiring and employing a person on the basis of the person's ability to use the English language.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2003.