

BILL ANALYSIS

H.B. 754
By: Dutton
Economic Development
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There is currently no requirement for an employer to compensate an employee that has to take time off of work to answer a jury summons. For employees that are paid hourly wages and living on a fixed income, missing a day of work to answer a jury summons can cause a financial hardship.

H.B. 754 requires an employer to compensate an employee for work missed on the first day of answering jury duty. This bill would provide that an offense under Subchapter G is a Class B misdemeanor.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Chapter 61, Labor Code, by adding Subchapter G, as follows:

Section 61.151. Applies this subchapter to an employer and employee as described by Chapter 122, Civil Practice and Remedies Code, but not to a self-employed person.

Section 61.152. States that an employee is entitled to payment for work missed on the first day of answering jury duty.

Section 61.153. Requires an employee who receives a summons to report for jury duty will need to provide a copy of the summons to his/her employer. It also provides that an employer will pay an employee his/her usual compensation, not exceeding \$40, for the first day, or any part of the first day, that the employee responds to the jury summons. If an employer and employee come to a mutual agreement, the amount paid to the employee under this section may be increased. An employer, however, is not required to compensate an employee for more time than he/she spent answering the initial summons for jury duty.

Section 61.154. States that a person who violates Section 61.152 or 61.153 and is a private employer is committing an offense. It also establishes that an offense under this section is a Class B misdemeanor.

SECTION 2. States the effective date for this Act.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.