

BILL ANALYSIS

Senate Research Center

S.B. 1014
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Jurisprudence
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Many municipalities and other political subdivisions of this state claim sovereign immunity from suit in regards to certain statutory employment claims. Based on recent court decisions, it is unclear whether municipalities can claim immunity from suit. Although this issue has been clarified for other types of contracts, ambiguity still remains around this issue in relation to employment contracts.

As proposed, S.B. 1014 waives a political subdivision's sovereign immunity for claims arising from an employee alleging violation of a state statute or local ordinance affecting employment rights or benefits.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 180, Local Government Code, by adding Section 180.006, as follows:

Sec. 180.006. SOVEREIGN OR GOVERNMENTAL IMMUNITY WAIVED. Authorizes an employee of a political subdivision who alleges a violation of this title (Matter Affecting Public Officers and Employees) or of another state statute or a local ordinance affecting employment to sue the employing political subdivision for back pay and other relief necessary to enforce the employee's rights under the statute or ordinance. Provides that sovereign or governmental immunity from suit and liability is waived to the extent necessary to allow the employee to obtain relief necessary to enforce the employee's rights under the statute or ordinance.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2007.