

By: McClendon, Rose

H.B. No. 1275

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the appeal by an individual entitled to a veteran's
3 preference of certain adverse employment decisions.

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

5 SECTION 1. Chapter 657, Government Code, is amended by
6 adding Section 657.010 to read as follows:

7 Sec. 657.010. COMPLAINT REGARDING EMPLOYMENT DECISION OF
8 PUBLIC ENTITY OR PUBLIC WORK. (a) An individual entitled to a
9 veteran's employment preference under this chapter who is aggrieved
10 by a decision of a public entity or public work of this state to
11 which this chapter applies relating to hiring the individual, or
12 relating to retaining the individual if the entity or work reduces
13 its workforce, may appeal the decision by filing a written
14 complaint with the governing body of the public entity or public
15 work under this section.

16 (b) The governing body of a public entity or public work
17 that receives a written complaint under Subsection (a) shall
18 respond to the complaint not later than the 15th business day after
19 the date the governing body receives the complaint. The governing
20 body may render a different hiring decision than the decision that
21 is the subject of the complaint if the governing body determines
22 that the veteran's preference was not applied.

23 SECTION 2. Section 657.008(a), Government Code, is amended
24 to read as follows:

1 (a) A public entity shall file quarterly with the
2 comptroller a report that states:

3 (1) the percentage of the total number of employees
4 hired by the entity during the reporting period who are persons
5 entitled to a preference under this chapter; ~~and~~

6 (2) the percentage of the total number of the entity's
7 employees who are persons entitled to a preference under this
8 chapter; and

9 (3) the number of complaints filed with the governing
10 body of the entity under Section 657.010 during that quarter and the
11 number of those complaints resolved by the governing body.

12 SECTION 3. Section 657.010, Government Code, as added by
13 this Act, applies only to an employment decision made by a public
14 entity or a public work to which Chapter 657, Government Code,
15 applies, on or after the effective date of this Act. An employment
16 decision made before the effective date of this Act is governed by
17 the law in effect immediately before that date, and the former law
18 is continued in effect for that purpose.

19 SECTION 4. This Act takes effect September 1, 2007.