

1-1 By: McClendon, Rose (Senate Sponsor - Uresti) H.B. No. 1275  
1-2 (In the Senate - Received from the House May 14, 2007;  
1-3 May 15, 2007, read first time and referred to Committee on Veteran  
1-4 Affairs and Military Installations; May 18, 2007, reported  
1-5 favorably by the following vote: Yeas 4, Nays 0; May 18, 2007, sent  
1-6 to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the appeal by an individual entitled to a veteran's  
1-10 preference of certain adverse employment decisions.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Chapter 657, Government Code, is amended by  
1-13 adding Section 657.010 to read as follows:

1-14 Sec. 657.010. COMPLAINT REGARDING EMPLOYMENT DECISION OF  
1-15 PUBLIC ENTITY OR PUBLIC WORK. (a) An individual entitled to a  
1-16 veteran's employment preference under this chapter who is aggrieved  
1-17 by a decision of a public entity or public work of this state to  
1-18 which this chapter applies relating to hiring the individual, or  
1-19 relating to retaining the individual if the entity or work reduces  
1-20 its workforce, may appeal the decision by filing a written  
1-21 complaint with the governing body of the public entity or public  
1-22 work under this section.

1-23 (b) The governing body of a public entity or public work  
1-24 that receives a written complaint under Subsection (a) shall  
1-25 respond to the complaint not later than the 15th business day after  
1-26 the date the governing body receives the complaint. The governing  
1-27 body may render a different hiring decision than the decision that  
1-28 is the subject of the complaint if the governing body determines  
1-29 that the veteran's preference was not applied.

1-30 SECTION 2. Section 657.008(a), Government Code, is amended  
1-31 to read as follows:

1-32 (a) A public entity shall file quarterly with the  
1-33 comptroller a report that states:

1-34 (1) the percentage of the total number of employees  
1-35 hired by the entity during the reporting period who are persons  
1-36 entitled to a preference under this chapter; ~~and~~

1-37 (2) the percentage of the total number of the entity's  
1-38 employees who are persons entitled to a preference under this  
1-39 chapter; and

1-40 (3) the number of complaints filed with the governing  
1-41 body of the entity under Section 657.010 during that quarter and the  
1-42 number of those complaints resolved by the governing body.

1-43 SECTION 3. Section 657.010, Government Code, as added by  
1-44 this Act, applies only to an employment decision made by a public  
1-45 entity or a public work to which Chapter 657, Government Code,  
1-46 applies, on or after the effective date of this Act. An employment  
1-47 decision made before the effective date of this Act is governed by  
1-48 the law in effect immediately before that date, and the former law  
1-49 is continued in effect for that purpose.

1-50 SECTION 4. This Act takes effect September 1, 2007.

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