

By: Turner

H.B. No. 1473

A BILL TO BE ENTITLED

AN ACT

relating to the waiver of sovereign immunity of a political subdivision for claims arising under employment law.

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

SECTION 1. Chapter 180, Local Government Code, is amended by adding Section 180.006 to read as follows:

Sec. 180.006. SOVEREIGN OR GOVERNMENTAL IMMUNITY WAIVED.

An employee of a political subdivision who alleges a violation of this title or of another state statute or a local ordinance affecting employment may sue the employing political subdivision for back pay and other relief necessary to enforce the employee's rights under the statute or ordinance. 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. Section 180.006, Local Government Code, as added by this Act, applies to any action alleging a violation of Title 5, Local Government Code, or another state statute or a local ordinance affecting employment that has not been finally adjudicated on the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2007.