

By: Whitmire

S.B. No. 1014

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the application of the doctrine of sovereign immunity
3 in a judicial proceeding to enforce certain employment rights.

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

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

7 Sec. 180.006. SOVEREIGN OR GOVERNMENTAL IMMUNITY WAIVED.

8 An employee of a political subdivision who alleges a violation of
9 this title or of another state statute or a local ordinance
10 affecting employment may sue the employing political subdivision
11 for back pay and other relief necessary to enforce the employee's
12 rights under the statute or ordinance. Sovereign or governmental
13 immunity from suit and liability is waived to the extent necessary
14 to allow the employee to obtain relief necessary to enforce the
15 employee's rights under the statute or ordinance.

16 SECTION 2. Section 180.006, Local Government Code, as added
17 by this Act, applies to any action alleging a violation of Title 5,
18 Local Government Code, or another state statute or a local
19 ordinance affecting employment that has not been finally
20 adjudicated on the effective date of this Act.

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

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1 Act takes effect September 1, 2007.