

By: Pitts

H.B. No. 226

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting employers from requiring employees to make certain charitable contributions.

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

SECTION 1. Subtitle C, Title 2, Labor Code, is amended by adding Chapter 65 to read as follows:

CHAPTER 65. PROHIBITION ON REQUIRING CERTAIN CHARITABLE CONTRIBUTIONS

Sec. 65.001. DEFINITIONS. The definitions provided by Sections 61.001(1), (3), (4), (5), and (7) apply to this chapter.

Sec. 65.002. REQUIRED CHARITABLE CONTRIBUTION PROHIBITED.

(a) An employer may not withhold or divert any part of an employee's wages for a charitable contribution unless the employer has written authorization from the employee to deduct part of the wages for that purpose.

(b) An employer may not terminate or suspend the employment of, or in any other manner discriminate against, an employee who declines to participate in a charitable contribution campaign conducted by the employer or at the place of employment.

Sec. 65.003. RULES. The commission shall adopt rules as necessary to enforce this chapter.

Sec. 65.004. ENFORCEMENT. (a) A violation of Section 65.002(a) constitutes a violation of Section 61.018 and is punishable in the manner provided by Chapter 61 for a violation of

1 Section 61.018.

2 (b) An employer who violates Section 65.002(b) is liable for
3 any loss of wages and employer-provided benefits incurred by the
4 employee as a result of the violation.

5 (c) A person discharged in violation of Section 65.002(b) is
6 entitled to reinstatement in the same or an equivalent position of
7 employment with commensurate pay.

8 (d) The burden of proof in a proceeding under this section
9 is on the employee.

10 SECTION 2. This Act takes effect September 1, 2009.