

By: Dutton

H.B. No. 308

A BILL TO BE ENTITLED

AN ACT

relating to payment of wages to certain employees who miss work to perform jury duty; providing a criminal penalty.

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

SECTION 1. Chapter 61, Labor Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. PAYMENT OF WAGES FOR WORK MISSED DUE TO JURY DUTY

Sec. 61.151. APPLICATION. (a) This subchapter applies to an employer and employee as described by Chapter 122, Civil Practice and Remedies Code.

(b) This subchapter does not apply to a self-employed person.

Sec. 61.152. EMPLOYEE ENTITLED TO PAYMENT. An employee is entitled to payment as provided by this chapter for employment missed on the first day required of the employee while answering a summons for jury duty in any court of the United States or this state.

Sec. 61.153. WAGE PAYMENT PROCESS. (a) An employee who receives a summons to report for jury duty shall provide a copy of the summons to the employee's employer.

(b) An employer shall pay an employee the employee's usual compensation, not to exceed \$40, for the first day that the employee responds to the jury summons or any part of that first day that occurs on a regularly scheduled work day. An employer and employee

1 by mutual agreement may agree to increase the amount paid to the
2 employee under this section.

3 (c) An employer is not required under this section to
4 compensate an employee for more time than was actually spent by the
5 employee in answering the summons for jury duty.

6 Sec. 61.154. CRIMINAL PENALTY. (a) A person commits an
7 offense if the person is a private employer and the person violates
8 Section 61.152 or 61.153.

9 (b) An offense under this section is a Class B misdemeanor.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2009.