

By: Olivo

H.B. No. 2119

A BILL TO BE ENTITLED

AN ACT

relating to the payment of wages by school districts.

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

SECTION 1. Section 61.003, Labor Code, is amended to read as follows:

Sec. 61.003. GOVERNMENTAL ENTITIES GENERALLY EXCLUDED;  
EXCEPTION. (a) Except as provided by Subsection (b), this [This]  
chapter does not apply to the United States, this state, or a  
political subdivision of this state.

(b) Subchapters A, B, and D apply to a school district.

SECTION 2. Subchapter A, Chapter 61, Labor Code, is amended  
by adding Section 61.0035 to read as follows:

Sec. 61.0035. WAIVER OF IMMUNITY FOR SCHOOL DISTRICTS. A  
school district employee who alleges a violation of this chapter  
may sue the employing school district for the relief provided by  
this chapter. Sovereign immunity is waived and abolished to the  
extent of liability for the relief allowed under this chapter for a  
violation of this chapter.

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  
Act takes effect September 1, 2009.