

By: Garza

H.B. No. 83

A BILL TO BE ENTITLED

AN ACT

1
2 relating to remedies for discrimination by a public employer
3 against a public employee in connection with a claim for workers'
4 compensation.

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

6 SECTION 1. Chapter 451, Labor Code, is amended by adding
7 Section 451.004 to read as follows:

8 Sec. 451.004. WAIVER OF IMMUNITY FOR PUBLIC EMPLOYERS. A
9 public employee who alleges a violation of Section 451.001 may sue
10 the public employer for the relief provided by this chapter.
11 Sovereign or governmental immunity is waived and abolished to the
12 extent of liability for the relief allowed under this chapter for a
13 violation of Section 451.001.

14 SECTION 2. The change in law made by this Act applies to a
15 cause of action filed or pending on or after the effective date of
16 this Act, regardless of whether the cause of action accrued before,
17 on, or after the effective date of this Act.

18 SECTION 3. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect on the 91st day after the last day of the
23 legislative session.