

## **BILL ANALYSIS**

S.B. 121  
By: Rodríguez  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties assert that at least two federal agencies have been investigating a certain Texas independent school district for more than two years and that a variety of issues relating to corruption have emerged during these investigations. S.B. 121 seeks to strengthen whistleblower protections to encourage employees of independent school districts to report illegal activity without fear of retaliation.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 121 amends the Government Code to prohibit a school district, including a home-rule school district, or a public school for which a charter has been granted located in a county with a population of 800,000 or more that borders the United Mexican States from suspending or terminating the employment of, or taking other adverse personnel action against, a district or school employee who in good faith reports in writing a violation of law by the district or school or another district or school employee to a person to whom the employee is required by law or policy to report allegations of misconduct by other district or school employees, or to the human resources director of the reporting employee's campus or district or the human resource director's designee. The bill clarifies that this prohibition does not prohibit such a school district or public school from suspending or terminating the employment of, or taking other adverse personnel action against, a district or school employee who makes a good faith report of allegations of misconduct by other district school employees for a reason other than one directly or indirectly related to the report.

S.B. 121 requires a sign posted by a governmental entity informing its employees of their rights under statutory provisions relating to the protection for reporting violations of law to be written in English and Spanish and to include the description of an appropriate law enforcement authority and a statement summarizing a public employee's right to sue under such provisions. The bill requires the attorney general to design the sign not later than October 1, 2013, and each state or local governmental entity to post the sign not later than November 1, 2013.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.