

By: Rodriguez

S.B. No. 121

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to prohibited retaliation against certain state or local  
3 public employees for reporting to certain persons violations of  
4 law.

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

6 SECTION 1. Section 554.002, Government Code, is amended by  
7 adding Subsections (a-1) and (a-2) to read as follows:

8 (a-1) In addition to the prohibitions under Subsection (a),  
9 a school district, including a home-rule school district, or a  
10 public school, including any school for which a charter has been  
11 granted under Chapter 12, Education Code, located in a county with a  
12 population of 800,000 or more that borders the United Mexican  
13 States may not suspend or terminate the employment of, or take other  
14 adverse personnel action against, a district or school employee who  
15 in good faith reports in writing a violation of law by the district  
16 or school or another district or school employee to:

17 (1) a person to whom the employee is required by law or  
18 policy to report allegations of misconduct by other district or  
19 school employees; or

20 (2) the human resources director of the reporting  
21 employee's campus or district or the human resource director's  
22 designee.

23 (a-2) Subsection (a-1) does not prohibit a school district  
24 or a public school to which that subsection applies from suspending

1 or terminating the employment of, or taking other adverse personnel  
2 action against, a district or school employee who makes a good faith  
3 report under Subsection (a-1) for a reason other than one directly  
4 or indirectly related to the report.

5 SECTION 2. Subsection (b), Section 554.009, Government  
6 Code, is amended to read as follows:

7 (b) The attorney general shall prescribe the design and  
8 content of the sign required by this section. The sign must be  
9 written in English and Spanish and include:

10 (1) the description of an appropriate law enforcement  
11 authority under Section 554.002(b); and

12 (2) a statement summarizing a public employee's right  
13 to sue under this chapter.

14 SECTION 3. Section 554.002, Government Code, as amended by  
15 this Act, applies only to a personnel action taken on or after the  
16 effective date of this Act against an employee who reports a  
17 violation of law, regardless of the date on which the alleged  
18 violation of law occurred or was reported.

19 SECTION 4. (a) The attorney general shall design the sign  
20 required by Section 554.009, Government Code, as amended by this  
21 Act, not later than October 1, 2013.

22 (b) Each state or local governmental entity shall post the  
23 sign required by Section 554.009, Government Code, as amended by  
24 this Act, not later than November 1, 2013.

25 SECTION 5. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this  
2 Act takes effect September 1, 2013.