

BILL ANALYSIS

H.B. 512
By: Moody
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that first responders such as police officers and firefighters perform jobs that carry a wide range of inherent dangers. Like any other employee in Texas, these public servants may not be discriminated or retaliated against for pursuing legitimate workers' compensation claims. However, the parties contend that, unlike other employees, first responders are unable to vindicate their rights by filing a lawsuit because their employers are governmental entities that enjoy the protections of sovereign immunity. In an effort to put first responders on equal footing with other employees in Texas, H.B. 512 seeks to amend the applicable law.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

H.B. 512 amends the Labor Code to authorize a first responder employed by a state or local governmental entity who alleges an employer violation of statutory provisions prohibiting the discharge of or other discrimination against an employee in relation to a workers' compensation claim to sue the governmental entity for the relief provided under those statutory provisions. The bill waives and abolishes sovereign or governmental immunity from suit to the extent of liability created by those statutory provisions but does not affect a person's official or individual immunity from a claim for damages to the extent the person has such immunity. The bill limits the liability of a political subdivision in such an action to money damages in a maximum amount of \$100,000 for each person aggrieved by a violation of the applicable statutory provisions.

EFFECTIVE DATE

September 1, 2015.