

1-1 By: Taylor of Collin S.B. No. 664
 1-2 (In the Senate - Filed February 20, 2015; February 24, 2015,
 1-3 read first time and referred to Committee on Natural Resources and
 1-4 Economic Development; March 11, 2015, reported favorably by the
 1-5 following vote: Yeas 10, Nays 0; March 11, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to employment termination for falsification of military
 1-22 record in obtaining employment or employment benefits.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. This Act shall be known as the Stolen Valor Act.

1-25 SECTION 2. Title 3, Labor Code, is amended by adding Chapter
 1-26 105 to read as follows:

1-27 CHAPTER 105. EMPLOYMENT TERMINATION FOR FALSIFICATION OF MILITARY
 1-28 RECORD IN OBTAINING EMPLOYMENT OR EMPLOYMENT BENEFITS

1-29 Sec. 105.001. DEFINITIONS. In this chapter:

1-30 (1) "Employee" means an individual who is employed by
 1-31 an employer for compensation.

1-32 (2) "Employer" means a person who employs one or more
 1-33 employees.

1-34 (3) "Military record" has the meaning assigned by
 1-35 Section 32.54, Penal Code.

1-36 Sec. 105.002. EMPLOYMENT TERMINATION; EMPLOYMENT CONTRACT
 1-37 VOID AND UNENFORCEABLE. (a) An employer may discharge an
 1-38 employee, regardless of whether the employee is employed under an
 1-39 employment contract with the employer, if the employer determines,
 1-40 based on a reasonable belief, that the employee, in obtaining the
 1-41 employee's employment or any benefit relating to the employee's
 1-42 employment, falsified or otherwise misrepresented any information
 1-43 regarding the employee's military record in a manner that would
 1-44 constitute an offense under Section 32.54, Penal Code.

1-45 (b) An employment contract entered into by an employer with
 1-46 an employee discharged by the employer under this section is void
 1-47 and unenforceable as against public policy.

1-48 Sec. 105.003. SUIT TO APPEAL TERMINATION. An employee who
 1-49 was employed by an employer under an employment contract on the date
 1-50 of the employee's termination and who believes the employee was
 1-51 wrongfully terminated under Section 105.002 may bring suit against
 1-52 the employer in a district court in the county in which the
 1-53 termination occurred for appropriate relief, including rehiring or
 1-54 reinstatement to the employee's previous job, payment of back
 1-55 wages, and reestablishment of employee benefits to which the
 1-56 employee otherwise would have been eligible if the employee had not
 1-57 been terminated.

1-58 SECTION 3. Chapter 105, Labor Code, as added by this Act,
 1-59 applies only to an employee termination that occurs on or after the
 1-60 effective date of this Act.

1-61 SECTION 4. This Act takes effect September 1, 2015.

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