

By: Thompson of Harris

H.B. No. 104

A BILL TO BE ENTITLED

AN ACT

relating to unlawful employment practices regarding discrimination
in payment of compensation.

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

SECTION 1. Section 21.202(a), Labor Code, is amended to
read as follows:

(a) A complaint under this subchapter must be filed not
later than the 180th day after the date the alleged unlawful
employment practice occurred. With respect to an allegation of
discrimination in payment of compensation in violation of this
chapter, an unlawful employment practice occurs each time:

(1) a discriminatory compensation decision or other
practice is adopted;

(2) an individual becomes subject to a discriminatory
compensation decision or other practice; or

(3) an individual is adversely affected by application
of a discriminatory compensation decision or other practice,
including each time wages affected wholly or partly by the decision
or other practice are paid.

SECTION 2. Section 21.258, Labor Code, is amended by adding
Subsection (d) to read as follows:

(d) Liability may accrue, and an aggrieved person may obtain
relief as provided by this subchapter, including recovery of back
pay for the period allowed under this section, if the unlawful

1 employment practices that have occurred during the period for
2 filing a complaint are similar or related to unlawful employment
3 practices with regard to discrimination in payment of compensation
4 that occurred outside the period for filing a complaint.

5 SECTION 3. The changes in law made by this Act apply only to
6 a discriminatory compensation decision or another unlawful
7 employment practice with regard to discrimination in payment of
8 compensation that occurs on or after the effective date of this Act.

9 SECTION 4. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect on the 91st day after the last day of the
14 legislative session.