AN ACT
relating to an unlawful employment practice by an employer whose
leave policy does not permit an employee to use leave to care for
the employee's foster child.

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

SECTION 1. Subchapter B, Chapter 21, Labor Code, is amended
by adding Section 21.0595 to read as follows:

Sec. 21.0595. DISCRIMINATORY LEAVE POLICY AFFECTING
EMPLOYEE'S ENTITLEMENT TO PERSONAL LEAVE TO CARE FOR SICK FOSTER
CHILD. An employer commits an unlawful employment practice if:

(1) the employer administers a leave policy under
which an employee is entitled to personal leave to care for or
otherwise assist the employee's sick child; and

(2) the leave policy described by Subdivision (1) does
not treat in the same manner as an employee's biological or adopted
minor child any foster child of the employee who;

(A) resides in the same household as the
employee; and

(B) is under the conservatorship of the
Department of Family and Protective Services.

SECTION 2. Section 21.0595, Labor Code, as added by this
Act, applies only to a claim of discrimination based on conduct that
occurs on or after the effective date of this Act. A claim of
discrimination that is based on conduct that occurs before the
SECTION 3. This Act takes effect September 1, 2017.
H.B. No. 88

President of the Senate

Speaker of the House

I certify that H.B. No. 88 was passed by the House on April 13, 2017, by the following vote: Yeas 136, Nays 2, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 88 was passed by the Senate on May 12, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: __________________________

Date

Governor