

1-1 By: Martinez, et al. (Senate Sponsor - Hinojosa) H.B. No. 88
 1-2 (In the Senate - Received from the House April 18, 2017;
 1-3 May 1, 2017, read first time and referred to Committee on Natural
 1-4 Resources & Economic Development; May 9, 2017, reported favorably
 1-5 by the following vote: Yeas 11, Nays 0; May 9, 2017, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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	X			

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to an unlawful employment practice by an employer whose
 1-23 leave policy does not permit an employee to use leave to care for
 1-24 the employee's foster child.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Subchapter B, Chapter 21, Labor Code, is amended
 1-27 by adding Section 21.0595 to read as follows:

1-28 Sec. 21.0595. DISCRIMINATORY LEAVE POLICY AFFECTING
 1-29 EMPLOYEE'S ENTITLEMENT TO PERSONAL LEAVE TO CARE FOR SICK FOSTER
 1-30 CHILD. An employer commits an unlawful employment practice if:

1-31 (1) the employer administers a leave policy under
 1-32 which an employee is entitled to personal leave to care for or
 1-33 otherwise assist the employee's sick child; and

1-34 (2) the leave policy described by Subdivision (1) does
 1-35 not treat in the same manner as an employee's biological or adopted
 1-36 minor child any foster child of the employee who:

1-37 (A) resides in the same household as the
 1-38 employee; and

1-39 (B) is under the conservatorship of the
 1-40 Department of Family and Protective Services.

1-41 SECTION 2. Section 21.0595, Labor Code, as added by this
 1-42 Act, applies only to a claim of discrimination based on conduct that
 1-43 occurs on or after the effective date of this Act. A claim of
 1-44 discrimination that is based on conduct that occurs before the
 1-45 effective date of this Act is governed by the law in effect on the
 1-46 date the conduct occurred, and the former law is continued in effect
 1-47 for that purpose.

1-48 SECTION 3. This Act takes effect September 1, 2017.

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