

A BILL TO BE ENTITLED

AN ACT

relating to the prohibition of certain discrimination based on sexual orientation or gender identity or expression; providing an administrative penalty; creating a criminal offense.

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

SECTION 1. Title 4, Civil Practice and Remedies Code, is amended by adding Chapter 100B to read as follows:

CHAPTER 100B. LIABILITY ARISING FROM DISCRIMINATION

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 100B.001. DEFINITIONS. In this chapter:

(1) "Aggrieved person" includes any person who:

(A) claims to have been injured by a discriminatory practice; or

(B) believes that he or she will be injured by a discriminatory practice that is about to occur.

(2) "Discriminatory practice" means an act prohibited by this chapter.

(3) "Gender identity or expression" means having or being perceived as having a gender-related identity, appearance, expression, or behavior, regardless of whether that identity, appearance, expression, or behavior is different from that commonly associated with the individual's actual or perceived sex assigned or designated at birth.

(4) "Public accommodation" means a business or other

1 entity that offers to the public food, shelter, recreation, or
2 amusement, or any other goods, service, privilege, facility, or
3 accommodation.

4 (5) "Religious organization" means:

5 (A) a religious corporation, association, or
6 society; or

7 (B) a school, institution of higher education, or
8 other educational institution, not otherwise a religious
9 organization, that:

10 (i) is wholly or substantially controlled,
11 managed, owned, or supported by a religious organization; or

12 (ii) has a curriculum directed toward the
13 propagation of a particular religion.

14 (6) "Sexual orientation" means the actual or perceived
15 status of an individual with respect to the individual's sexuality.

16 Sec. 100B.002. APPLICABILITY OF CHAPTER. (a) Except as
17 provided by Subsection (b), this chapter does not apply to a
18 religious organization.

19 (b) This chapter applies to activities conducted by a
20 religious organization for profit to the extent that those
21 activities are subject to federal taxation under Section 511(a),
22 Internal Revenue Code of 1986, as that section existed on September
23 1, 2019.

24 SUBCHAPTER B. DISCRIMINATION IN PUBLIC ACCOMMODATIONS PROHIBITED

25 Sec. 100B.051. PUBLIC ACCOMMODATIONS. (a) Except as
26 provided by Subsection (b), a person engages in a discriminatory
27 practice and violates this chapter if the person, because of the

1 sexual orientation or gender identity or expression of an
2 individual:

3 (1) denies that individual full and equal
4 accommodations in any place of public accommodation in this state,
5 subject only to the conditions and limitations established by law
6 and applicable to all persons; or

7 (2) otherwise discriminates against or segregates or
8 separates the individual based on sexual orientation or gender
9 identity or expression.

10 (b) A person does not engage in a discriminatory practice or
11 violate this chapter under Subsection (a) if segregation or
12 separation of an individual is necessary to provide a service that:

13 (1) provides acceptance, support, and understanding
14 to the individual;

15 (2) assists the individual with coping with the
16 individual's sexual orientation or gender identity or expression,
17 maintaining social support, and exploring and identifying the
18 individual's identity; or

19 (3) provides support to an individual undergoing a
20 gender transition.

21 (c) The services described by Subsection (b)(2) include a
22 sexual orientation-neutral intervention for preventing or
23 addressing unlawful conduct or unsafe sexual practices if the
24 intervention does not seek to change the individual's sexual
25 orientation or gender identity or expression.

26 SUBCHAPTER C. CAUSE OF ACTION

27 Sec. 100B.101. CIVIL ACTION. An aggrieved person may file a

1 civil action in district court not later than the second
2 anniversary of the occurrence of the termination of an alleged
3 discriminatory practice under this chapter to obtain appropriate
4 relief with respect to the discriminatory practice.

5 Sec. 100B.102. RELIEF GRANTED. In an action under this
6 subchapter, if the court finds that a discriminatory practice has
7 occurred or is about to occur, the court may award to the plaintiff:

8 (1) actual and punitive damages;

9 (2) reasonable attorney's fees;

10 (3) court costs; and

11 (4) any permanent or temporary injunction, temporary
12 restraining order, or other order, including an order enjoining the
13 defendant from engaging in the practice or ordering other
14 appropriate action.

15 SECTION 2. Subchapter A, Chapter 2155, Government Code, is
16 amended by adding Section 2155.0065 to read as follows:

17 Sec. 2155.0065. PROHIBITION AGAINST DISCRIMINATION BY
18 STATE CONTRACTOR BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY OR
19 EXPRESSION. (a) In this section:

20 (1) "Employee" means an individual who is employed by
21 a contractor or subcontractor for compensation.

22 (2) "Gender identity or expression" means having or
23 being perceived as having a gender-related identity, appearance,
24 expression, or behavior, regardless of whether that identity,
25 appearance, expression, or behavior is different from that commonly
26 associated with the individual's actual or perceived sex assigned
27 or designated at birth.

1 (3) "Sexual orientation" means the actual or perceived
2 status of an individual with respect to the individual's sexuality.

3 (b) A state agency contracting with a contractor under this
4 subtitle shall require the contractor to adopt and apply an
5 employment policy under which the contractor and any subcontractor
6 may not, because of sexual orientation or gender identity or
7 expression:

8 (1) fail or refuse to hire an individual, discharge an
9 individual, or discriminate in any other manner against an
10 individual in connection with compensation or the terms,
11 conditions, or privileges of employment; or

12 (2) limit, segregate, or classify an employee or
13 applicant for employment in a manner that would deprive or tend to
14 deprive an individual of any employment opportunity or adversely
15 affect in any other manner the status of an employee.

16 (c) Each contract entered into between a state agency and a
17 contractor under this subtitle must include terms that:

18 (1) authorize an employee of a contractor or
19 subcontractor, or an applicant for employment with the contractor
20 or subcontractor, to make a verbal or written complaint to the state
21 agency regarding the contractor's or subcontractor's noncompliance
22 with an employment policy required by Subsection (b);

23 (2) explain that, on confirmation of a contractor's or
24 subcontractor's noncompliance with an employment policy required
25 by Subsection (b) that is the subject of a complaint, the state
26 agency shall provide to the contractor written notice of the
27 noncompliance by hand delivery or certified mail;

1 (3) inform a contractor that the state agency may
2 impose an administrative penalty if the contractor fails to comply
3 with an employment policy required by Subsection (b) after the date
4 on which the contractor receives notice under Subdivision (2); and

5 (4) explain that an amount equal to the amount of the
6 administrative penalty may be withheld from a payment otherwise
7 owed to a contractor under a contract.

8 (d) The amount of an administrative penalty imposed under
9 Subsection (c)(3) is \$100 per day for each employee or applicant for
10 employment who is discriminated against in violation of an
11 employment policy required by Subsection (b).

12 (e) Each state agency shall develop procedures for the
13 administration of this section.

14 SECTION 3. Section 21.002, Labor Code, is amended by adding
15 Subdivisions (9-a) and (13-a) to read as follows:

16 (9-a) "Gender identity or expression" means having or
17 being perceived as having a gender-related identity, appearance,
18 expression, or behavior, regardless of whether that identity,
19 appearance, expression, or behavior is different from that commonly
20 associated with the individual's actual or perceived sex assigned
21 or designated at birth.

22 (13-a) "Sexual orientation" means the actual or
23 perceived status of an individual with respect to the individual's
24 sexuality.

25 SECTION 4. Section 21.051, Labor Code, is amended to read as
26 follows:

27 Sec. 21.051. DISCRIMINATION BY EMPLOYER. An employer

1 commits an unlawful employment practice if because of race, color,
2 disability, religion, sex, national origin, [~~or~~] age, sexual
3 orientation, or gender identity or expression the employer:

4 (1) fails or refuses to hire an individual, discharges
5 an individual, or discriminates in any other manner against an
6 individual in connection with compensation or the terms,
7 conditions, or privileges of employment; or

8 (2) limits, segregates, or classifies an employee or
9 applicant for employment in a manner that would deprive or tend to
10 deprive an individual of any employment opportunity or adversely
11 affect in any other manner the status of an employee.

12 SECTION 5. Section 21.052, Labor Code, is amended to read as
13 follows:

14 Sec. 21.052. DISCRIMINATION BY EMPLOYMENT AGENCY. An
15 employment agency commits an unlawful employment practice if the
16 employment agency:

17 (1) fails or refuses to refer for employment or
18 discriminates in any other manner against an individual because of
19 race, color, disability, religion, sex, national origin, [~~or~~] age,
20 sexual orientation, or gender identity or expression; or

21 (2) classifies or refers an individual for employment
22 on the basis of race, color, disability, religion, sex, national
23 origin, [~~or~~] age, sexual orientation, or gender identity or
24 expression.

25 SECTION 6. Section 21.053, Labor Code, is amended to read as
26 follows:

27 Sec. 21.053. DISCRIMINATION BY LABOR ORGANIZATION. A labor

1 organization commits an unlawful employment practice if because of
2 race, color, disability, religion, sex, national origin, [~~or~~] age,
3 sexual orientation, or gender identity or expression the labor
4 organization:

5 (1) excludes or expels from membership or
6 discriminates in any other manner against an individual; or

7 (2) limits, segregates, or classifies a member or an
8 applicant for membership or classifies or fails or refuses to refer
9 for employment an individual in a manner that would:

10 (A) deprive or tend to deprive an individual of
11 any employment opportunity;

12 (B) limit an employment opportunity or adversely
13 affect in any other manner the status of an employee or of an
14 applicant for employment; or

15 (C) cause or attempt to cause an employer to
16 violate this subchapter.

17 SECTION 7. Section 21.054(a), Labor Code, is amended to
18 read as follows:

19 (a) Unless a training or retraining opportunity or program
20 is provided under an affirmative action plan approved under a
21 federal law, rule, or order, an employer, labor organization, or
22 joint labor-management committee controlling an apprenticeship,
23 on-the-job training, or other training or retraining program
24 commits an unlawful employment practice if the employer, labor
25 organization, or committee discriminates against an individual
26 because of race, color, disability, religion, sex, national origin,
27 [~~or~~] age, sexual orientation, or gender identity or expression in

1 admission to or participation in the program.

2 SECTION 8. Section 21.059(a), Labor Code, is amended to
3 read as follows:

4 (a) An employer, labor organization, employment agency, or
5 joint labor-management committee controlling an apprenticeship,
6 on-the-job training, or other training or retraining program
7 commits an unlawful employment practice if the employer, labor
8 organization, employment agency, or committee prints or publishes
9 or causes to be printed or published a notice or advertisement
10 relating to employment that:

11 (1) indicates a preference, limitation,
12 specification, or discrimination based on race, color, disability,
13 religion, sex, national origin, ~~or~~ age, sexual orientation, or
14 gender identity or expression; and

15 (2) concerns an employee's status, employment, or
16 admission to or membership or participation in a labor union or
17 training or retraining program.

18 SECTION 9. Section 21.102(c), Labor Code, is amended to
19 read as follows:

20 (c) This section does not apply to standards of compensation
21 or terms, conditions, or privileges of employment that are
22 discriminatory on the basis of race, color, disability, religion,
23 sex, national origin, ~~or~~ age, sexual orientation, or gender
24 identity or expression.

25 SECTION 10. Section 21.112, Labor Code, is amended to read
26 as follows:

27 Sec. 21.112. EMPLOYEES AT DIFFERENT LOCATIONS. An employer

1 does not commit an unlawful employment practice by applying to
2 employees who work in different locations different standards of
3 compensation or different terms, conditions, or privileges of
4 employment that are not discriminatory on the basis of race, color,
5 disability, religion, sex, national origin, [~~or~~] age, sexual
6 orientation, or gender identity or expression.

7 SECTION 11. Section 21.113, Labor Code, is amended to read
8 as follows:

9 Sec. 21.113. IMBALANCE PLAN NOT REQUIRED. This chapter
10 does not require a person subject to this chapter to grant
11 preferential treatment to an individual or a group on the basis of
12 race, color, disability, religion, sex, national origin, [~~or~~] age,
13 sexual orientation, or gender identity or expression because of an
14 imbalance between:

15 (1) the total number or percentage of persons of that
16 individual's or group's race, color, disability, religion, sex,
17 national origin, [~~or~~] age, sexual orientation, or gender identity
18 or expression:

19 (A) employed by an employer;

20 (B) referred or classified for employment by an
21 employment agency or labor organization;

22 (C) admitted to membership or classified by a
23 labor organization; or

24 (D) admitted to or employed in an apprenticeship,
25 on-the-job training, or other training or retraining program; and

26 (2) the total number or percentage of persons of that
27 race, color, disability, religion, sex, national origin, [~~or~~] age,

1 sexual orientation, or gender identity or expression in:

2 (A) a community, this state, a region, or other
3 area; or

4 (B) the available work force in a community, this
5 state, a region, or other area.

6 SECTION 12. Section 21.120(b), Labor Code, is amended to
7 read as follows:

8 (b) Subsection (a) does not apply to a policy adopted or
9 applied with the intent to discriminate because of race, color,
10 sex, national origin, religion, age, [~~or~~] disability, sexual
11 orientation, or gender identity or expression.

12 SECTION 13. Section 21.122(a), Labor Code, is amended to
13 read as follows:

14 (a) An unlawful employment practice based on disparate
15 impact is established under this chapter only if:

16 (1) a complainant demonstrates that a respondent uses
17 a particular employment practice that causes a disparate impact on
18 the basis of race, color, sex, national origin, religion, [~~or~~]
19 disability, sexual orientation, or gender identity or expression
20 and the respondent fails to demonstrate that the challenged
21 practice is job-related for the position in question and consistent
22 with business necessity; or

23 (2) the complainant makes the demonstration in
24 accordance with federal law as that law existed June 4, 1989, with
25 respect to the concept of alternative employment practices, and the
26 respondent refuses to adopt such an alternative employment
27 practice.

1 SECTION 14. Section 21.124, Labor Code, is amended to read
2 as follows:

3 Sec. 21.124. PROHIBITION AGAINST DISCRIMINATORY USE OF TEST
4 SCORES. It is an unlawful employment practice for a respondent, in
5 connection with the selection or referral of applicants for
6 employment or promotion, to adjust the scores of, use different
7 cutoff scores for, or otherwise alter the results of
8 employment-related tests on the basis of race, color, sex, national
9 origin, religion, age, [~~or~~] disability, sexual orientation, or
10 gender identity or expression.

11 SECTION 15. The heading to Section 21.125, Labor Code, is
12 amended to read as follows:

13 Sec. 21.125. CLARIFYING PROHIBITION AGAINST IMPERMISSIBLE
14 CONSIDERATION OF RACE, COLOR, SEX, NATIONAL ORIGIN, RELIGION, AGE,
15 [~~OR~~] DISABILITY, SEXUAL ORIENTATION, OR GENDER IDENTITY OR
16 EXPRESSION IN EMPLOYMENT PRACTICES.

17 SECTION 16. Section 21.125(a), Labor Code, is amended to
18 read as follows:

19 (a) Except as otherwise provided by this chapter, an
20 unlawful employment practice is established when the complainant
21 demonstrates that race, color, sex, national origin, religion, age,
22 [~~or~~] disability, sexual orientation, or gender identity or
23 expression was a motivating factor for an employment practice, even
24 if other factors also motivated the practice, unless race, color,
25 sex, national origin, religion, age, [~~or~~] disability, sexual
26 orientation, or gender identity or expression is combined with
27 objective job-related factors to attain diversity in the employer's

1 work force.

2 SECTION 17. Section 21.126, Labor Code, is amended to read
3 as follows:

4 Sec. 21.126. COVERAGE OF PREVIOUSLY EXEMPT EMPLOYEES OF THE
5 STATE OR POLITICAL SUBDIVISION OF THE STATE. It is an unlawful
6 employment practice for a person elected to public office in this
7 state or a political subdivision of this state to discriminate
8 because of race, color, sex, national origin, religion, age, [~~or~~]
9 disability, sexual orientation, or gender identity or expression
10 against an individual who is an employee or applicant for
11 employment to:

- 12 (1) serve on the elected official's personal staff;
13 (2) serve the elected official on a policy-making
14 level; or
15 (3) serve the elected official as an immediate advisor
16 with respect to the exercise of the constitutional or legal powers
17 of the office.

18 SECTION 18. Section 21.152(a), Labor Code, is amended to
19 read as follows:

20 (a) A political subdivision or two or more political
21 subdivisions acting jointly may create a local commission to:

- 22 (1) promote the purposes of this chapter; and
23 (2) secure for all individuals in the jurisdiction of
24 each political subdivision freedom from discrimination because of
25 race, color, disability, religion, sex, national origin, [~~or~~]
26 age, sexual orientation, or gender identity or expression.

27 SECTION 19. Section 21.155(a), Labor Code, is amended to

1 read as follows:

2 (a) The commission [~~Commission on Human Rights~~] shall refer
3 a complaint concerning discrimination in employment because of
4 race, color, disability, religion, sex, national origin, [~~or~~] age,
5 sexual orientation, or gender identity or expression that is filed
6 with that commission to a local commission with the necessary
7 investigatory and conciliatory powers if:

8 (1) the complaint has been referred to the commission
9 [~~Commission on Human Rights~~] by the federal government; or

10 (2) jurisdiction over the subject matter of the
11 complaint has been deferred to the commission [~~Commission on Human~~
12 ~~Rights~~] by the federal government.

13 SECTION 20. Section 301.003, Property Code, is amended by
14 amending Subdivision (6) and adding Subdivisions (9-a) and (10-a)
15 to read as follows:

16 (6) "Disability" means a mental or physical impairment
17 that substantially limits at least one major life activity, a
18 record of the impairment, or being regarded as having the
19 impairment. The term does not include current illegal use of or
20 addiction to any drug or illegal or federally controlled substance
21 [~~and does not apply to an individual because of an individual's~~
22 ~~sexual orientation or because that individual is a transvestite~~].

23 (9-a) "Gender identity or expression" means having or
24 being perceived as having a gender-related identity, appearance,
25 expression, or behavior, regardless of whether that identity,
26 appearance, expression, or behavior is different from that commonly
27 associated with the individual's actual or perceived sex assigned

1 or designated at birth.

2 (10-a) "Sexual orientation" means the actual or
3 perceived status of an individual with respect to the individual's
4 sexuality.

5 SECTION 21. Sections 301.021(a) and (b), Property Code, are
6 amended to read as follows:

7 (a) A person may not refuse to sell or rent, after the making
8 of a bona fide offer, refuse to negotiate for the sale or rental of,
9 or in any other manner make unavailable or deny a dwelling to
10 another because of race, color, religion, sex, familial status,
11 [~~or~~] national origin, sexual orientation, or gender identity or
12 expression.

13 (b) A person may not discriminate against another in the
14 terms, conditions, or privileges of sale or rental of a dwelling or
15 in providing services or facilities in connection with a sale or
16 rental of a dwelling because of race, color, religion, sex,
17 familial status, [~~or~~] national origin, sexual orientation, or
18 gender identity or expression.

19 SECTION 22. Section 301.022, Property Code, is amended to
20 read as follows:

21 Sec. 301.022. PUBLICATION. A person may not make, print, or
22 publish or effect the making, printing, or publishing of a notice,
23 statement, or advertisement that is about the sale or rental of a
24 dwelling and that indicates any preference, limitation, or
25 discrimination or the intention to make a preference, limitation,
26 or discrimination because of race, color, religion, sex,
27 disability, familial status, [~~or~~] national origin, sexual

1 orientation, or gender identity or expression.

2 SECTION 23. Section 301.023, Property Code, is amended to
3 read as follows:

4 Sec. 301.023. INSPECTION. A person may not represent to
5 another because of race, color, religion, sex, disability, familial
6 status, [~~or~~] national origin, sexual orientation, or gender
7 identity or expression that a dwelling is not available for
8 inspection for sale or rental when the dwelling is available for
9 inspection.

10 SECTION 24. Section 301.024, Property Code, is amended to
11 read as follows:

12 Sec. 301.024. ENTRY INTO NEIGHBORHOOD. A person may not,
13 for profit, induce or attempt to induce another to sell or rent a
14 dwelling by representations regarding the entry or prospective
15 entry into a neighborhood of a person of a particular race, color,
16 religion, sex, disability, familial status, [~~or~~] national origin,
17 sexual orientation, or gender identity or expression.

18 SECTION 25. Section 301.026(a), Property Code, is amended
19 to read as follows:

20 (a) A person whose business includes engaging in
21 residential real estate related transactions may not discriminate
22 against another in making a real estate related transaction
23 available or in the terms or conditions of a real estate related
24 transaction because of race, color, religion, sex, disability,
25 familial status, [~~or~~] national origin, sexual orientation, or
26 gender identity or expression.

27 SECTION 26. Section 301.027, Property Code, is amended to

1 read as follows:

2 Sec. 301.027. BROKERAGE SERVICES. A person may not deny
3 another access to, or membership or participation in, a
4 multiple-listing service, real estate brokers' organization, or
5 other service, organization, or facility relating to the business
6 of selling or renting dwellings, or discriminate against a person
7 in the terms or conditions of access, membership, or participation
8 in such an organization, service, or facility because of race,
9 color, religion, sex, disability, familial status, [~~or~~] national
10 origin, sexual orientation, or gender identity or expression.

11 SECTION 27. Sections 301.042(a) and (c), Property Code, are
12 amended to read as follows:

13 (a) This chapter does not prohibit a religious
14 organization, association, or society or a nonprofit institution or
15 organization operated, supervised, or controlled by or in
16 conjunction with a religious organization, association, or society
17 from:

18 (1) limiting the sale, rental, or occupancy of
19 dwellings that it owns or operates for other than a commercial
20 purpose to persons of the same religion; or

21 (2) giving preference to persons of the same religion,
22 unless membership in the religion is restricted because of race,
23 color, [~~or~~] national origin, sexual orientation, or gender identity
24 or expression.

25 (c) This chapter does not prohibit a person engaged in the
26 business of furnishing appraisals of real property from considering
27 in those appraisals factors other than race, color, religion, sex,

1 disability, familial status, [~~or~~] national origin, sexual
2 orientation, or gender identity or expression.

3 SECTION 28. Section 301.068, Property Code, is amended to
4 read as follows:

5 Sec. 301.068. REFERRAL TO MUNICIPALITY. (a) Subject to
6 Subsection (b), the [~~The~~] commission may defer proceedings under
7 this chapter and refer a complaint to a municipality that has been
8 certified by the federal Department of Housing and Urban
9 Development as a substantially equivalent fair housing agency.

10 (b) The commission may not defer proceedings and refer a
11 complaint under Subsection (a) to a municipality in which the
12 alleged discrimination occurred if:

13 (1) the complaint alleges discrimination based on
14 sexual orientation or gender identity or expression; and

15 (2) the municipality does not have laws prohibiting
16 the alleged discrimination.

17 SECTION 29. Section 301.171(a), Property Code, is amended
18 to read as follows:

19 (a) A person commits an offense if the person, without
20 regard to whether the person is acting under color of law, by force
21 or threat of force intentionally intimidates or interferes with a
22 person:

23 (1) because of the person's race, color, religion,
24 sex, disability, familial status, [~~or~~] national origin, sexual
25 orientation, or gender identity or expression and because the
26 person is or has been selling, purchasing, renting, financing,
27 occupying, or contracting or negotiating for the sale, purchase,

1 rental, financing, or occupation of any dwelling or applying for or
2 participating in a service, organization, or facility relating to
3 the business of selling or renting dwellings; or

4 (2) because the person is or has been or to intimidate
5 the person from:

6 (A) participating, without discrimination
7 because of race, color, religion, sex, disability, familial status,
8 ~~or~~ national origin, sexual orientation, or gender identity or
9 expression, in an activity, service, organization, or facility
10 described by Subdivision (1); ~~or~~

11 (B) affording another person opportunity or
12 protection to so participate; or

13 (C) lawfully aiding or encouraging other persons
14 to participate, without discrimination because of race, color,
15 religion, sex, disability, familial status, ~~or~~ national origin,
16 sexual orientation, or gender identity or expression, in an
17 activity, service, organization, or facility described by
18 Subdivision (1).

19 SECTION 30. (a) Section 2155.0065, Government Code, as
20 added by this Act, applies only to a contract for which a state
21 agency first advertises or otherwise solicits bids, proposals,
22 offers, qualifications, or other similar expressions of interest on
23 or after the effective date of this Act.

24 (b) The changes in law made by this Act to the Labor Code
25 apply to conduct occurring on or after the effective date of this
26 Act. Conduct occurring before that date is governed by the law in
27 effect on the date the conduct occurred, and the former law is

1 continued in effect for that purpose.

2 (c) The changes in law made by this Act to the Property Code
3 apply only to a complaint filed with the Texas Workforce Commission
4 on or after the effective date of this Act. A complaint filed
5 before that date is governed by the law as it existed immediately
6 before the effective date of this Act, and that law is continued in
7 effect for that purpose.

8 SECTION 31. This Act takes effect September 1, 2019.