

1-1 By: Neave (Senate Sponsor - Zaffirini) H.B. No. 621
 1-2 (In the Senate - Received from the House April 23, 2019;
 1-3 April 30, 2019, read first time and referred to Committee on
 1-4 Natural Resources & Economic Development; May 9, 2019, reported
 1-5 favorably by the following vote: Yeas 11, Nays 0; May 9, 2019, sent
 1-6 to 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 prohibited adverse employment action against an
 1-23 employee who in good faith reports child abuse or neglect.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Sections 261.110(a), (b), and (c), Family Code,
 1-26 are amended to read as follows:

1-27 (a) In this section:

1-28 (1) "Adverse employment action" means an action that
 1-29 affects an employee's compensation, promotion, transfer, work
 1-30 assignment, or performance evaluation, or any other employment
 1-31 action that would dissuade a reasonable employee from making or
 1-32 supporting a report of abuse or neglect under Section 261.101.

1-33 (2) "Professional" ~~["professional"]~~ has the meaning
 1-34 assigned by Section 261.101(b).

1-35 (b) An employer may not suspend or terminate the employment
 1-36 of, ~~[or otherwise]~~ discriminate against, or take any other adverse
 1-37 employment action against ~~[a]~~ a person who is a professional and who
 1-38 in good faith:

1-39 (1) reports child abuse or neglect to:

1-40 (A) the person's supervisor;

1-41 (B) an administrator of the facility where the
 1-42 person is employed;

1-43 (C) a state regulatory agency; or

1-44 (D) a law enforcement agency; or

1-45 (2) initiates or cooperates with an investigation or
 1-46 proceeding by a governmental entity relating to an allegation of
 1-47 child abuse or neglect.

1-48 (c) A person may sue for injunctive relief, damages, or both
 1-49 if, in violation of this section, the person:

1-50 (1) ~~[whose employment]~~ is suspended or terminated from
 1-51 the person's employment;

1-52 (2) ~~[or who]~~ is ~~[otherwise]~~ discriminated against; or

1-53 (3) suffers any other adverse employment action ~~[in~~
 1-54 violation of this section may sue for injunctive relief, damages,
 1-55 or both].

1-56 SECTION 2. This Act applies only to an adverse employment
 1-57 action taken by an employer against an employee that occurs on or
 1-58 after the effective date of this Act. An adverse employment action
 1-59 taken by an employer against an employee that occurs before that
 1-60 date is governed by the law in effect on the date the action
 1-61 occurred, and the former law is continued in effect for that

2-1 purpose.

2-2 SECTION 3. This Act takes effect September 1, 2019.

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