

By: Sanford

H.B. No. 4345

A BILL TO BE ENTITLED

AN ACT

relating to the disclosure by charitable organizations of allegations of sexual misconduct.

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

SECTION 1. Chapter 84, Civil Practice and Remedies Code, is amended by adding Section 84.0066 to read as follows:

Sec. 84.0066. LIABILITY IN DISCLOSING SEXUAL ABUSE AND SEXUAL MISCONDUCT. (a) A charitable organization, or an employee or volunteer thereof, acting in good faith is immune from civil liability for any act to disclose information reasonably believed to be true about allegations that any person, while employed by or serving as a volunteer of the charitable organization engaged in sexual misconduct, sexually abused another person, sexually harassed another person, or otherwise committed an offense under Chapter 21, Penal Code, or under Chapter 43, Penal Code to the current employer or a prospective employer of that person.

(b) A person who reports the person's own sexual abuse, sexual harassment, or offense under Chapter 21, Penal Code, or under Chapter 43, Penal Code, or who acts in bad faith or with malicious purpose in making a disclosure under subsection (a) is not immune from civil or criminal liability.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2019.