By:  Meyer, Metcalf, Minjarez, et al. H.B. No. 1804

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the use of state appropriations or public money of a political subdivision to settle or pay a sexual harassment claim made against certain public officers and employees.

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

SECTION 1.  Subtitle B, Title 5, Government Code, is amended by adding Chapter 576 to read as follows:

CHAPTER 576. PROHIBITION ON APPROPRIATION OF MONEY TO SETTLE OR PAY SEXUAL HARASSMENT CLAIMS

Sec. 576.0001.  PROHIBITION ON APPROPRIATION OF MONEY TO SETTLE OR PAY SEXUAL HARASSMENT CLAIMS. The legislature may not appropriate money and a state agency may not use appropriated money to settle or otherwise pay a sexual harassment claim made against a person who:

(1)  is an elected member of the executive, legislative, or judicial branch of state government;

(2)  is appointed by the governor to serve as a member of a department, commission, board, or other public office within the executive, legislative, or judicial branch of state government; or

(3)  serves as staff for a person described by Subdivision (1) or (2).

SECTION 2.  Chapter 180, Local Government Code, is amended by adding Section 180.008 to read as follows:

Sec. 180.008.  PROHIBITION ON USE OF PUBLIC MONEY TO SETTLE OR PAY SEXUAL HARASSMENT CLAIMS. (a) In this section, "political subdivision" means a county, municipality, school district, other special district, or other subdivision of state government.

(b)  A political subdivision may not use public money to settle or otherwise pay a sexual harassment claim made against a person who is:

(1)  an elected or appointed member of the governing body of the political subdivision; or

(2)  an officer or employee of the political subdivision.

SECTION 3.  Section 12.1058(a), Education Code, is amended to read as follows:

(a)  An open-enrollment charter school is considered to be:

(1)  a local government for purposes of Chapter 791, Government Code;

(2)  a local government for purposes of Chapter 2259, Government Code, except that an open-enrollment charter school may not issue public securities as provided by Section 2259.031(b), Government Code;

(3)  a political subdivision for purposes of Chapter 172, Local Government Code; [~~and~~]

(4)  a local governmental entity for purposes of Subchapter I, Chapter 271, Local Government Code; and

(5)  a political subdivision for purposes of Section 180.008, Local Government Code.

SECTION 4.  This Act takes effect September 1, 2021.