87R13575 TYPED

By:  Ellzey H.B. No. 4195

A BILL TO BE ENTITLED

AN ACT

relating to unlawful employment practices with respect to the exercise of the right of free speech, right to petition, and right of association.

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

SECTION 1.  Section 21.055, Labor Code, is amended to read as follows:

Sec. 21.055.  RETALIATION. (a) An employer, labor union, or employment agency commits an unlawful employment practice if the employer, labor union, or employment agency retaliates or discriminates against a person who, under this chapter:

(1)  opposes a discriminatory practice;

(2)  makes or files a charge;

(3)  files a complaint; or

(4)  testifies, assists, or participates in any manner in an investigation, proceeding, or hearing.

(b)  An employer, labor union, or employment agency commits an unlawful employment practice if the employer, labor union, or employment agency retaliates or discriminates against a person who engages in lawful conduct involving the exercise of civil rights guaranteed by the Constitution of the United States or of this state:

(1)  during a period of time that is not during the person's assigned working hours; and

(2)  in a location that is not the person's work site or on the premises of the employer, labor union, or employment agency.

SECTION 2.  The change in law made by this Act applies only to an unlawful employment practice that occurs on or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2021.