

By: Meyer, Metcalf, Minjarez, et al.

H.B. No. 1804

A BILL TO BE ENTITLED

AN ACT

1
2 relating to prohibiting the use of state appropriations or public
3 money of a political subdivision to settle or pay a sexual
4 harassment claim made against certain public officers and
5 employees.

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

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

9 CHAPTER 576. PROHIBITION ON APPROPRIATION OF MONEY TO SETTLE OR PAY

10 SEXUAL HARASSMENT CLAIMS

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

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

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

21 or

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

24 SECTION 2. Chapter 180, Local Government Code, is amended

1 by adding Section 180.008 to read as follows:

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

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

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

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

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

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

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

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

22 (3) a political subdivision for purposes of Chapter
23 172, Local Government Code; ~~and~~

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

26 (5) a political subdivision for purposes of Section
27 180.008, Local Government Code.

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