

By: Morales Shaw

H.B. No. 2972

A BILL TO BE ENTITLED

AN ACT

relating to unlawful employment practices with respect to
discrimination in payment of compensation.

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

SECTION 1. Section 21.202, Labor Code, is amended by
amending Subsection (a) and adding Subsection (a-1) to read as
follows:

(a) Except as otherwise provided by Subsection (a-1), a [A]
complaint under this subchapter must be filed not later than the
180th day after the date the alleged unlawful employment practice
occurred.

(a-1) With respect to an allegation of discrimination in
payment of compensation in violation of this chapter, an unlawful
employment practice occurs each time:

(1) a discriminatory compensation decision or other
discriminatory practice affecting compensation is adopted;

(2) an individual becomes subject to a discriminatory
compensation decision or other discriminatory practice affecting
compensation; or

(3) an individual is adversely affected by application
of a discriminatory compensation decision or other discriminatory
practice affecting compensation, including each time wages
affected wholly or partly by the decision or other practice are
paid.

1 SECTION 2. Section 21.258, Labor Code, is amended by adding
2 Subsection (d) to read as follows:

3 (d) Liability may accrue, and an aggrieved person may obtain
4 relief as provided by this subchapter, including recovery of back
5 pay for the period allowed under this section, if the unlawful
6 employment practices that have occurred during the period for
7 filing a complaint are similar or related to unlawful employment
8 practices with regard to discrimination in payment of compensation
9 that occurred outside the period for filing a complaint.

10 SECTION 3. Sections 21.202 and 21.258, Labor Code, as
11 amended by this Act, apply only to a discriminatory compensation
12 decision or other discriminatory practice affecting compensation
13 that occurs on or after the effective date of this Act.

14 SECTION 4. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2021.