

By: Herrero

H.B. No. 4390

A BILL TO BE ENTITLED

AN ACT

relating to waiving sovereign immunity in a suit concerning
reemployment protections for certain members of the military.

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

SECTION 1. Subchapter B, Chapter 613, Government Code, is
amended by adding Section 613.024 to read as follows:

Sec. 613.024. SOVEREIGN IMMUNITY WAIVED. Sovereign
immunity to suit is waived and abolished to the extent of liability
created by this chapter or under the federal Uniformed Services
Employment and Reemployment Rights Act. A person may sue the state
or a local governmental entity for damages allowed by this chapter
or under the federal Uniformed Services Employment and Reemployment
Rights Act.

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
Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2021.