

By: Johnson

S.B. No. 132

A BILL TO BE ENTITLED

AN ACT

relating to prohibited retaliation against state or local public employees for reporting certain violations of law.

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

SECTION 1. Section 554.002(a), Government Code, is amended to read as follows:

(a) A state or local governmental entity may not suspend or terminate the employment of, or take other adverse personnel action against, a public employee who in good faith reports a violation of law by the employing governmental entity or another public employee to:

(1) the reporting employee's immediate supervisor, or an individual who holds a position above the reporting employee's immediate supervisor, at the employing governmental entity;

(2) an individual or office designated by the employing governmental entity as the individual or office for reporting such grievances;

(3) a member of the human resources staff of the employing governmental entity; or

(4) an appropriate law enforcement authority.

SECTION 2. Section 554.009, Government Code, is amended to read as follows:

Sec. 554.009. NOTICE TO EMPLOYEES. (a) A state or local governmental entity shall inform its employees of their rights

1 under this chapter by:

2 (1) posting a sign in a prominent location in the
3 workplace; and

4 (2) providing its employees with a copy of the
5 anti-retaliation policy adopted by the entity under Section
6 554.0095.

7 (b) The attorney general shall:

8 (1) prescribe the design and content of the sign
9 required by Subsection (a)(1); and

10 (2) post in a prominent location on the attorney
11 general's Internet website:

12 (A) a summary of the rights of public employees
13 under this chapter; and

14 (B) a notice informing public employees of:

15 (i) the ability to obtain a copy of the
16 anti-retaliation policy adopted by their employing governmental
17 entity under Section 554.0095 from an individual described by
18 Section 554.002(a)(1), (2), or (3); and

19 (ii) the requirement that an employing
20 governmental entity provide a copy of the entity's anti-retaliation
21 policy to each public employee on the first day of the employee's
22 employment with the entity [~~this section~~].

23 SECTION 3. Chapter 554, Government Code, is amended by
24 adding Section 554.0095 to read as follows:

25 Sec. 554.0095. ANTI-RETALIATION POLICY. (a) A state or
26 local governmental entity shall:

27 (1) develop and adopt an anti-retaliation policy

1 consistent with this chapter that:

2 (A) informs its employees of their rights under
3 this chapter and the anti-retaliation policy; and

4 (B) lists the individuals to whom its employees
5 may report a violation of law under Section 554.002(a);

6 (2) provide a copy of the anti-retaliation policy
7 adopted under Subdivision (1) to each employee on the first day of
8 the employee's employment with the entity; and

9 (3) notify its employees of any change made to its
10 anti-retaliation policy by e-mail, memorandum, or any other manner
11 that ensures each employee will be informed of the change.

12 (b) If an employee of a state or local governmental entity
13 requests a copy of the entity's anti-retaliation policy from an
14 individual described by Section 554.002(a)(1), (2), or (3), the
15 individual shall provide the employee with a copy of the policy.

16 SECTION 4. Not later than December 1, 2021, a state or local
17 governmental entity, as defined by Section 554.001, Government
18 Code, shall develop and adopt an anti-retaliation policy as
19 required by Section 554.0095, Government Code, as added by this
20 Act.

21 SECTION 5. This Act takes effect September 1, 2021.