

# SENATE AMENDMENTS

## 2<sup>nd</sup> Printing

By: Thompson of Harris, Collier,  
S. Davis of Harris, Alvarado, Isaac,  
et al.

H.B. No. 950

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to unlawful employment practices regarding discrimination  
3 in payment of compensation.

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

5 SECTION 1. Section 21.202(a), Labor Code, is amended to  
6 read as follows:

7 (a) A complaint under this subchapter must be filed not  
8 later than the 180th day after the date the alleged unlawful  
9 employment practice occurred. With respect to an allegation of  
10 discrimination in payment of compensation in violation of this  
11 chapter, an unlawful employment practice occurs each time:

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

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

16 (3) an individual is adversely affected by application  
17 of a discriminatory compensation decision or other practice,  
18 including each time wages, benefits, or other compensation affected  
19 wholly or partly by such a decision or other practice is paid.

20 SECTION 2. Section 21.258, Labor Code, is amended by  
21 amending Subsection (c) and adding Subsection (d) to read as  
22 follows:

23 (c) Except as otherwise provided by this subsection,  
24 liability [~~Liability~~] under a back pay award may not accrue for a

1 date more than two years before the date a complaint is filed with  
2 the commission. Liability may accrue, and an aggrieved person may  
3 obtain relief as provided by this subchapter, including recovery of  
4 back pay for up to two years preceding the date of filing the  
5 complaint, if the unlawful employment practices that have occurred  
6 during the period for filing a complaint are similar or related to  
7 unlawful employment practices with regard to discrimination in  
8 payment of compensation that occurred outside the period for filing  
9 a complaint.

10       (d) Interim earnings, workers' compensation benefits, and  
11 unemployment compensation benefits received operate to reduce the  
12 back pay otherwise allowable under this section.

13       SECTION 3. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2013.

**ADOPTED**

*Third Reading*

FLOOR AMENDMENT NO. 1

MAY 22 2013

BY: *Wendell Smith*

*Henry Shaw*  
Secretary of the Senate

1 Amend H.B. 950 by adding the following appropriately  
2 numbered SECTION of the bill and renumbering the SECTIONS of the  
3 bill accordingly:

4 SECTION \_\_\_\_ . The changes in law made by this Act apply  
5 only to discriminatory compensation decisions or other unlawful  
6 employment practices with regard to discrimination in payment of  
7 compensation made on or after the effective date of this Act.

# ADOPTED

MAY 21 2013

*Ratay Spaw*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY:

*Wendy A. Davis*

1 Amend H.B. 950 (senate committee printing), in SECTION 1 of  
2 the bill, in added Section 21.202(a)(3), Labor Code (page 1), as  
3 follows:

4 (1) On line 34, strike ", benefits, or other compensation".

5 (2) On line 35, strike "is" and substitute "are".

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 23, 2013**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB950** by Thompson, Senfronia (Relating to unlawful employment practices regarding discrimination in payment of compensation. ), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Labor Code relating to unlawful employment practices regarding discrimination in payment of compensation. Based on information provided by the Texas Workforce Commission, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 320 Texas Workforce Commission

**LBB Staff:** UP, AG, NV, CL, NB, VJC, RB, MW

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 3, 2013**

**TO:** Honorable Bob Deuell, Chair, Senate Committee on Economic Development

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB950** by Thompson, Senfronia (Relating to unlawful employment practices regarding discrimination in payment of compensation.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Labor Code relating to unlawful employment practices regarding discrimination in payment of compensation. Based on information provided by the Texas Workforce Commission, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 320 Texas Workforce Commission

**LBB Staff:** UP, NV, CL, NB, VJC, RB, MW

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 9, 2013**

**TO:** Honorable John Davis, Chair, House Committee On Economic & Small Business  
Development

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB950** by Thompson, Senfronia (Relating to unlawful employment practices regarding  
discrimination in payment of compensation.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Labor Code relating to unlawful employment practices regarding discrimination in payment of compensation. Based on information provided by the Texas Workforce Commission, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

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