

1-1 By: Dutton (Senate Sponsor - Miles) H.B. No. 504
 1-2 (In the Senate - Received from the House April 29, 2019;
 1-3 April 30, 2019, read first time and referred to Committee on State
 1-4 Affairs; May 10, 2019, reported favorably by the following vote:
 1-5 Yeas 6, Nays 2; May 10, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9		X		
1-10	X			
1-11	X			
1-12		X		
1-13	X			
1-14	X			
1-15			X	
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to employment protections for a person serving as a grand
 1-20 juror.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 122.001, Civil Practice and Remedies
 1-23 Code, is amended to read as follows:

1-24 Sec. 122.001. JUROR'S RIGHT TO REEMPLOYMENT; NOTICE OF
 1-25 INTENT TO RETURN. (a) A private employer may not terminate the
 1-26 employment of a permanent employee because the employee serves as a
 1-27 juror or grand juror.

1-28 (b) An employee whose employment is terminated in violation
 1-29 of this section is entitled to return to the same employment that
 1-30 the employee held when summoned for jury or grand jury service if
 1-31 the employee, as soon as practical after release from that [jury]
 1-32 service, gives the employer actual notice that the employee intends
 1-33 to return.

1-34 SECTION 2. Sections 122.002(a) and (c), Civil Practice and
 1-35 Remedies Code, are amended to read as follows:

1-36 (a) A person who is injured because of a violation of this
 1-37 chapter is entitled to reinstatement to the person's [his] former
 1-38 position and to damages in an amount not less than an amount equal
 1-39 to one year's compensation nor more than an amount equal to five
 1-40 years' compensation at the rate at which the person was compensated
 1-41 when summoned for jury or grand jury service.

1-42 (c) An action for damages brought by a person under
 1-43 Subsection (a) must be brought not later than the second
 1-44 anniversary of the date on which the person served as a juror or
 1-45 grand juror.

1-46 SECTION 3. Section 122.0022, Civil Practice and Remedies
 1-47 Code, is amended to read as follows:

1-48 Sec. 122.0022. CONTEMPT. In addition to and without
 1-49 limiting any other sanction or remedy available under this chapter
 1-50 or other law, a court may punish by contempt an employer who
 1-51 terminates, threatens to terminate, penalizes, or threatens to
 1-52 penalize an employee because the employee performs jury or grand
 1-53 jury duty.

1-54 SECTION 4. Section 122.003, Civil Practice and Remedies
 1-55 Code, is amended to read as follows:

1-56 Sec. 122.003. DEFENSE. (a) It is a defense to an action
 1-57 brought under this chapter that the employer's circumstances
 1-58 changed while the employee served as a juror or grand juror so that
 1-59 reemployment was impossible or unreasonable.

1-60 (b) To establish a defense under this section, an employer
 1-61 must prove that the termination of employment was because of

2-1 circumstances other than the employee's service as a juror or grand
2-2 juror.

2-3 SECTION 5. The change in law made by this Act applies only
2-4 to an employer who terminates, threatens to terminate, penalizes,
2-5 or threatens to penalize an employee on or after the effective date
2-6 of this Act.

2-7 SECTION 6. This Act takes effect September 1, 2019.

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