

AN ACT

relating to unlawful employment practices regarding discrimination in payment of compensation.

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

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

(a) A complaint under this subchapter must be filed not later than the 180th day after the date the alleged unlawful employment practice occurred. 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 practice is adopted;

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

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

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

(c) Except as otherwise provided by this subsection, 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. The changes in law made by this Act apply only to
14 discriminatory compensation decisions or other unlawful employment
15 practices with regard to discrimination in payment of compensation
16 made on or after the effective date of this Act.

17 SECTION 4. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 950 was passed by the House on April 25, 2013, by the following vote: Yeas 79, Nays 50, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 950 on May 24, 2013, by the following vote: Yeas 78, Nays 61, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 950 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 16, Nays 15.

Secretary of the Senate

APPROVED: _____

Date

Governor