

BILL ANALYSIS

C.S.H.B. 563
By: Israel
Government Transparency & Operation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that the authority to which a public employee may report a violation of law by the employee's employing governmental entity and be protected against retaliation by the entity is unclear and that such uncertainty creates confusion in the legal landscape. C.S.H.B. 563 seeks to address this uncertainty by listing specific authorities to which a public employee may report such violations while receiving such protection.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 563 amends the Government Code to prohibit a state or local governmental entity from taking adverse personnel action against a public employee who in good faith reports a violation of law by another public employee or by the governmental entity that employs the reporting employee to the reporting employee's supervisor at the employing governmental entity, to an individual or office designated by the employing governmental entity as the appropriate individual or office for reporting such grievances, or to a member of the human resources staff of the employing governmental entity.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 563 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

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

HOUSE COMMITTEE SUBSTITUTE

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

85R 21410

17.94.297

Substitute Document Number: 85R 19844

(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 supervisor at the employing governmental entity;

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

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

(4) the office of the attorney general; or

(5) an appropriate law enforcement authority.

SECTION 2. This Act takes effect September 1, 2017.

(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 supervisor at the employing governmental entity;

(2) an individual or office designated by the employing governmental entity as the appropriate 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. Same as introduced version.