

BILL ANALYSIS

Senate Research Center

S.B. 45
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State Affairs
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Protections against workplace sexual harassment in Texas apply only to persons who work for an employer with 15 or more employees. S.B. 45 would establish clearly that sexual harassment by any employer, regardless of how many persons they employ, is unlawful. This would ensure that all Texans enjoy protections against inappropriate behavior in the workplace.

S.B. 45 amends current law relating to the prohibition against sexual harassment in the workplace.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 21, Labor Code, by adding Subchapter C-1, as follows:

SUBCHAPTER C-1. SEXUAL HARASSMENT

Sec. 21.141. DEFINITIONS. Defines "employer" and "sexual harassment."

Sec. 21.142. UNLAWFUL EMPLOYMENT PRACTICE. Provides that an employer commits an unlawful employment practice if sexual harassment of an employee occurs and the employer or the employer's agents or supervisors know or should have known that the conduct constituting sexual harassment was occurring and fail to take immediate and appropriate corrective action.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.