

BILL ANALYSIS

Senate Research Center

C.S.S.B. 121
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Open Government
3/27/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 121 is a response to corruption which occurred in the El Paso Independent School District (EPISD). The Federal Bureau of Investigation and the United States Department of Education have been investigating EPISD for more than two years, and a variety of issues have emerged during these investigations.

C.S.S.B. 121 seeks to strengthen whistleblower protections to encourage employees of independent school districts to report illegal activity without fear of retaliation.

C.S.S.B. 121 amends current law relating to prohibited retaliation against certain state or local public employees for reporting to certain persons violations of law.

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 Section 554.002, Government Code, by adding Subsection (a-1), as follows:

(a-1) Prohibits a school district, including a home-rule school district, or a public school, including any school for which a charter has been granted under Chapter 12 (Charters), Education Code, located in a county with a population of 800,000 or more that borders the United Mexican States from suspending or terminating the employment of, or taking other adverse personnel action against, a district or school employee who in good faith reports in writing a violation of law by the district or school or another district or school employee to a person whom the employee is required by law or policy to report allegations of misconduct by other district or school employees or the human resources director of the reporting employee's campus or district or the human resource director's designee.

SECTION 2. Amends Section 554.009(b), Government Code, as follows:

(b) Requires the attorney general to prescribe the design and content of the sign required by this section. Requires that the sign be written in English and Spanish and include the description of an appropriate law enforcement authority under Section 554.002(b) and a statement summarizing a public employee's right to sue under this chapter.

SECTION 3. Makes application of Section 554.002, Government Code, as amended by this Act prospective.

SECTION 4. (a) Requires the attorney general to design the sign required by Section 554.009, Government Code, as amended by this Act, not later than October 1, 2013.

(b) Requires each state or local governmental entity to post the sign required by Section 554.009, Government Codes, as amended by this Act, not later than November 1, 2013.

SECTION 5. Effective date: upon passage or September 1, 2013.