

BILL ANALYSIS

H.B. 1151
By: Thompson, Senfronia
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

A recent court ruling in a suit relating to sexual harassment of an unpaid intern established there was no claim because the law protects paid employees, not unpaid interns. This result led to the enactment of legislation to protect unpaid interns from sexual harassment in a number of states. Interested parties contend that the lack of certain legal protections for unpaid interns may leave the door open for employers to take advantage of this vulnerable workforce group in Texas. H.B. 1151 seeks to address this concern.

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

H.B. 1151 amends the Labor Code to establish that an employer commits an unlawful employment practice if sexual harassment of an unpaid intern 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. The bill defines "sexual harassment" and prescribes the circumstances under which an individual is considered to be an unpaid intern of an employer.

EFFECTIVE DATE

September 1, 2015.