

BILL ANALYSIS

C.S.H.B. 619
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that the existing caps on compensatory and punitive damages that may be awarded in actions involving sexual assault and sexual harassment in the workplace may reduce an employer's incentive to take steps to stop this conduct. C.S.H.B. 619 seeks to remedy this situation by changing the limits on the amount of damages that may be recovered in certain actions involving an employment discrimination claim based on sexual harassment or sexual assault.

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. 619 amends the Labor Code to make statutory caps on the total amount of compensatory and punitive damages that may be awarded by a court in a civil action alleging employment discrimination inapplicable to such an action involving sexual assault, an unlawful employment practice based on sex, or retaliation in connection with an unlawful employment practice based on sex. The bill specifies that an action involving such conduct is subject to Civil Practice and Remedies Code provisions limiting the amount of damages recoverable in a civil action generally.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 619 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include a provision exempting an applicable action from Civil Practice and Remedies Code provisions relating to damages in a civil action in general. The substitute specifies that an applicable action is subject to provisions of that code limiting the amount of recoverable damages.