

# House Research Act Summary

**CHAPTER:** 159

**SESSION:** 2001 Regular Session

**TOPIC:** Age Discrimination and Fair Labor Standards Act Suits Against the State

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## Overview

Recent United States Supreme Court decisions have held that under the Eleventh Amendment a state is immune from damages actions in federal court, unless it waives that immunity. This bill would waive the state's immunity and allow it to be sued by its employees under federal age discrimination in employment law and under the Fair Labor Standards Act.

- 1 **Waiver of immunity for violations of certain federal statutes.** Specifies that an employee, former employee, or prospective employee of the state who is aggrieved by a violation of the federal age discrimination in employment act may sue for legal (damages) or equitable (an order to do something) relief under the act.

Also authorizes suits against the state under the Fair Labor Standards Act, Family Medical Leave Act, and Americans with Disabilities Act.