

By: Miles

S.B. No. 1630

A BILL TO BE ENTITLED

AN ACT

relating to criminal history record information checks for applicants for employment and employees of group homes; creating a criminal offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 9, Health and Safety Code, is amended by adding Chapter 769 to read as follows:

CHAPTER 769. REGULATION OF CERTAIN GROUP HOMES

Sec. 769.001. DEFINITIONS. In this chapter:

(1) "Group home" means an establishment:

(A) in which three or more individuals who are unrelated to the owner or operator of the establishment reside;

(B) that provides residential care services to residents; and

(C) that receives payment or other compensation from a local, state, or federal governmental entity for providing residential care services to a resident.

(2) "Residential care services" means shelter, protection, meals, health care, mobility assistance, and personal care services, including bathing, dressing, and eating.

Sec. 769.002. EMPLOYEES AND APPLICANTS CONVICTED OF CERTAIN OFFENSES; CRIMINAL PENALTY. (a) An owner or operator of a group home must obtain criminal history record information maintained by the Department of Public Safety of the State of Texas that relates

1 to an individual who is an applicant for employment with or an
2 employee of the group home.

3 (b) An owner or operator of a group home may not hire or
4 continue to employ an individual for whom the owner or operator
5 obtains criminal history record information on the employee's or
6 applicant's conviction of an offense that is a Class A or B
7 misdemeanor or a felony.

8 (c) An owner or operator who violates Subsection (b) commits
9 an offense. An offense under this section is a Class A misdemeanor.

10 SECTION 2. Section 769.002, Health and Safety Code, as
11 added by this Act, applies only to an application for employment
12 submitted on or after the effective date of this Act.

13 SECTION 3. This Act takes effect September 1, 2021.