

By: Noble, Cook

H.B. No. 3199

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring certain information before being employed by
3 a child-care facility.

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

5 SECTION 1. Subchapter C, Chapter 42, Human Resources Code,
6 is amended by adding Section 42.0563 to read as follows:

7 Sec. 42.0563. PRE-EMPLOYMENT AFFIDAVIT. (a) An applicant
8 for a position with a child-care facility must submit, using a form
9 adopted by the department, a pre-employment affidavit disclosing
10 whether the applicant has ever been charged with, adjudicated for,
11 or convicted of having an inappropriate relationship with a minor.

12 (b) An applicant who answers affirmatively concerning an
13 inappropriate relationship with a minor must disclose in the
14 affidavit all relevant facts pertaining to the charge,
15 adjudication, or conviction, including, for a charge, whether the
16 charge was determined to be true or false.

17 (c) An applicant is not precluded from being employed based
18 on a disclosed charge if the employing entity determines based on
19 the information disclosed in the affidavit that the charge was
20 false.

21 (d) A determination that an employee failed to disclose
22 information required to be disclosed by an applicant under this
23 section is grounds for termination of employment.

24 SECTION 2. This Act takes effect September 1, 2023.