

1-1 By: Campbell S.B. No. 130
 1-2 (In the Senate - Filed November 14, 2022; February 15, 2023,
 1-3 read first time and referred to Committee on Business & Commerce;
 1-4 March 27, 2023, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 3; March 27, 2023,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14		X		
1-15	X			
1-16		X		
1-17	X			
1-18	X			
1-19		X		

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 130 By: King

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to the regulation by a municipality or county of certain
 1-24 employment benefits and policies.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Subtitle D, Title 2, Labor Code, is amended by
 1-27 adding Chapter 83 to read as follows:

1-28 CHAPTER 83. PROHIBITION AGAINST LOCAL REGULATION OF EMPLOYMENT
 1-29 BENEFITS AND POLICIES

1-30 Sec. 83.001. DEFINITIONS. In this chapter:

1-31 (1) "Employee" means an individual who is employed by
 1-32 an employer for compensation.

1-33 (2) "Employer" means a person who employs one or more
 1-34 employees.

1-35 (3) "Employment benefit" means anything of value that
 1-36 an employee receives from an employer beyond regular salary or
 1-37 wages.

1-38 Sec. 83.002. PROHIBITION AGAINST MUNICIPALITY OR COUNTY
 1-39 REQUIRING CERTAIN EMPLOYMENT BENEFITS OR POLICIES. (a) A
 1-40 municipality or county may not adopt or enforce an ordinance,
 1-41 order, rule, regulation, or policy requiring any terms of
 1-42 employment that exceed or conflict with federal or state law
 1-43 relating to any form of employment leave, hiring practices,
 1-44 employment benefits, or scheduling practices.

1-45 (b) Any provision of an ordinance, order, rule, regulation,
 1-46 or policy that violates Subsection (a) is void and unenforceable.

1-47 (c) This chapter does not affect:

1-48 (1) the Texas Minimum Wage Act under Chapter 62;

1-49 (2) the authority of a municipality or county to
 1-50 negotiate the terms of employment with employees of the
 1-51 municipality or county;

1-52 (3) employment and safety protections afforded by
 1-53 state and federal law to employees and prospective employees;

1-54 (4) an ordinance, order, rule, regulation, or policy
 1-55 relating to terms of employment in contracts or agreements entered
 1-56 into between a private entity, including an organization
 1-57 representing city employees or county employees, and a governmental
 1-58 entity, regardless of whether the ordinance, order, rule,
 1-59 regulation, or policy is adopted before, on, or after September 1,
 1-60 2023; or

2-1 (5) a contract or agreement relating to terms of
2-2 employment voluntarily entered into between a private employer or
2-3 entity and a governmental entity.

2-4 SECTION 2. Chapter 83, Labor Code, as added by this Act,
2-5 applies to an ordinance, order, rule, regulation, or policy adopted
2-6 before, on, or after the effective date of this Act.

2-7 SECTION 3. This Act takes effect September 1, 2023.

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