

1-1 By: Uresti (Senate Sponsor - Nelson) H.B. No. 1971  
1-2 (In the Senate - Received from the House April 28, 2003;  
1-3 May 1, 2003, read first time and referred to Committee on Health  
1-4 and Human Services; May 23, 2003, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 6, Nays  
1-6 0; May 23, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1971 By: West

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to convictions barring employment in certain facilities  
1-11 serving the elderly or persons with disabilities.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 250.006(b), Health and Safety Code, is  
1-14 amended to read as follows:

1-15 (b) A person [~~convicted of an offense under Chapter 31,~~  
1-16 ~~Penal Code, that is punishable as a felony~~] may not be employed in a  
1-17 position the duties of which involve direct contact with a consumer  
1-18 in a facility before the fifth anniversary of the date the person is  
1-19 convicted of:

1-20 (1) an offense under Section 22.01, Penal Code  
1-21 (assault), that is punishable as a Class A misdemeanor or as a  
1-22 felony;

1-23 (2) an offense under Section 30.02, Penal Code  
1-24 (burglary);

1-25 (3) an offense under Chapter 31, Penal Code (theft),  
1-26 that is punishable as a felony;

1-27 (4) an offense under Section 32.45, Penal Code  
1-28 (misapplication of fiduciary property or property of a financial  
1-29 institution), that is punishable as a Class A misdemeanor or a  
1-30 felony; or

1-31 (5) an offense under Section 32.46, Penal Code  
1-32 (securing execution of a document by deception), that is  
1-33 punishable as a Class A misdemeanor or a felony [~~the conviction~~].

1-34 SECTION 2. The change in law made by this Act to Section  
1-35 250.006, Health and Safety Code, does not apply to a person who is  
1-36 employed by a facility on the effective date of this Act for the  
1-37 period during which the person is continuously employed by that  
1-38 facility.

1-39 SECTION 3. This Act takes effect September 1, 2003.

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