

By: West, Nelson

S.B. No. 1073

A BILL TO BE ENTITLED

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AN ACT

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

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

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

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

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

(2) an offense under Section 30.02, Penal Code (burglary);

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

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

(5) an offense under Section 32.46, Penal Code (securing execution of a document by deception), that is punishable

1 as a Class A misdemeanor or a felony [~~the conviction~~].

2 SECTION 2. This Act takes effect September 1, 2003.

COMMITTEE AMENDMENT NO. 1

Amend the proposed SB1073 by adding a new SECTION 2 to read as follows:

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

Renumber the remaining SECTIONS accordingly.

Wohlgemuth