

1-1 By: Jackson (Senate Sponsor - Hegar) H.B. No. 398
1-2 (In the Senate - Received from the House April 27, 2011;
1-3 May 12, 2011, read first time and referred to Committee on
1-4 Education; May 20, 2011, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 20, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the eligibility of employees convicted of certain
1-9 offenses to provide services under a contract with a public school.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 22.0834(o), Education Code, is amended
1-12 to read as follows:

1-13 (o) A contracting or subcontracting entity may not permit an
1-14 employee to whom Subsection (a) applies to provide services at a
1-15 school if the employee has been convicted of a felony or misdemeanor
1-16 offense that would prevent a person from being employed [~~obtaining~~
1-17 ~~certification as an educator~~] under Section 22.085(a) [~~21.060~~].

1-18 SECTION 2. Section 22.0834(o), Education Code, as amended
1-19 by this Act, applies to the provision of services at a public school
1-20 by an employee of a contracting or subcontracting entity without
1-21 regard to whether the contract or subcontract under which the
1-22 person is employed was entered into before, on, or after the
1-23 effective date of this Act.

1-24 SECTION 3. This Act takes effect immediately if it receives
1-25 a vote of two-thirds of all the members elected to each house, as
1-26 provided by Section 39, Article III, Texas Constitution. If this
1-27 Act does not receive the vote necessary for immediate effect, this
1-28 Act takes effect September 1, 2011.

1-29 * * * * *