

**House Bill 2609**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

(a) A person for whom the facility is entitled to obtain criminal history record information may not be employed in a facility if the person has been convicted of an offense listed in this subsection:

- (1) an offense under Chapter 19, Penal Code (criminal homicide);
- (2) an offense under Chapter 20, Penal Code (kidnapping and unlawful restraint);
- (3) an offense under Section 21.02, Penal Code (continuous sexual abuse of young child or children), or Section 21.11, Penal Code (indecent with a child);
- (4) an offense under Section 22.011, Penal Code (sexual assault);
- (5) an offense under Section 22.02, Penal Code (aggravated assault);
- (6) an offense under Section 22.04, Penal Code (injury to a child, elderly individual, or disabled individual);
- (7) an offense under Section 22.041, Penal Code (abandoning or endangering child);
- (8) an offense under Section 22.08, Penal Code (aiding suicide);
- (9) an offense under Section 25.031, Penal Code (agreement to abduct from custody);
- (10) an offense under Section 25.08, Penal Code (sale or purchase of a child);
- (11) an offense under Section 28.02, Penal Code (arson);
- (12) an offense under Section 29.02, Penal Code (robbery);
- (13) an offense under Section 29.03, Penal Code (aggravated robbery);
- (14) an offense under Section 21.08, Penal Code (indecent

SENATE VERSION (CS)

SECTION 1. Same as House version.

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exposure);  
(15) an offense under Section 21.12, Penal Code (improper relationship between educator and student);  
(16) an offense under Section 21.15, Penal Code (improper photography or visual recording);  
(17) an offense under Section 22.05, Penal Code (deadly conduct);  
(18) an offense under Section 22.021, Penal Code (aggravated sexual assault);  
(19) an offense under Section 22.07, Penal Code (terroristic threat);  
(20) an offense under Section 33.021, Penal Code (online solicitation of a minor);  
(21) an offense under Section 34.02, Penal Code (money laundering);  
(22) an offense under Section 35A.02, Penal Code (Medicaid fraud);  
(23) an offense under Section 36.06, Penal Code (obstruction or retaliation);  
(24) an offense under Section 42.09, Penal Code (cruelty to livestock animals), or under Section 42.092, Penal Code (cruelty to nonlivestock animals); or  
(25) [(24)] a conviction under the laws of another state, federal law, or the Uniform Code of Military Justice for an offense containing elements that are substantially similar to the elements of an offense listed by this subsection.

SECTION 2. The heading to Chapter 253, Health and Safety Code, is amended to read as follows:  
CHAPTER 253. CERTAIN EMPLOYEE MISCONDUCT;  
REGISTRY

No equivalent provision.

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SECTION 3. Section 253.001(5), Health and Safety Code, is amended to read as follows:

(5) "Reportable conduct" includes:

(A) abuse or neglect that causes or may cause death or harm to a resident or consumer of a facility;

(B) sexual abuse of a resident or consumer of a facility;

(C) financial exploitation of a resident or consumer of a facility in an amount of \$25 or more; ~~and~~

(D) emotional, verbal, or psychological abuse that causes harm to a resident or consumer of a facility; and

(E) solicitation of a gift from a resident or consumer of a facility.

No equivalent provision.

SECTION 4. This Act takes effect September 1, 2011.

SECTION 2. Same as House version.