

Amend **SB 200** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 2.\_\_\_\_. Subchapter A, Chapter 531, Government Code, is amended by adding Section 531.0091 to read as follows:

Sec. 531.0091. CONSIDERATION OF CRIMINAL HISTORY RECORD INFORMATION. (a) In this section:

(1) "Applicant" means a person who has made an oral or written application with a health and human services system agency, or has sent a resume or other correspondence to a health and human services system agency, indicating an interest in employment.

(2) "Criminal history record information" has the meaning assigned by Section 411.082.

(3) "Health and human services system agency" means an agency in the health and human services system, including the commission.

(b) A health and human services system agency is not required to include a question regarding an applicant's criminal history record information on an initial employment application form.

(c) A health and human services system agency may inquire into or consider an applicant's criminal history record information after the agency has determined that the applicant is otherwise qualified and has conditionally offered the applicant employment or has invited the applicant to an interview, regardless of whether the question was included on the initial employment application form.

(d) A health and human services system agency may not automatically disqualify an applicant from employment with the agency based on the applicant's criminal history record information before giving the applicant an opportunity to present evidence of rehabilitation.

(e) This section does not apply to an applicant for a position:

(1) that involves direct contact with children; or

(2) for which consideration of criminal history record information is otherwise required by law.