



15 MAY 23 AM 10:56

HOUSE OF REPRESENTATIVES
FLOOR AMENDMENT NO. _____

BY: *Deshaun*

1 Amend S.B. No. 200 (house committee report) by adding the
2 following appropriately numbered SECTION to ARTICLE 2 of the bill
3 and renumbering subsequent SECTIONS of that ARTICLE accordingly:

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

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

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

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

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

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

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

28 (d) A health and human services system agency may not
29 automatically disqualify an applicant from employment with the

1 agency based on the applicant's criminal history record information
2 before giving the applicant an opportunity to present evidence of
3 rehabilitation.

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

6 (1) that involves direct contact with children; or

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