

BILL ANALYSIS

H.B. 2390
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Although research has shown employee wellness programs are a great return on investment, there is concern that some employers will be discouraged from implementing these programs for fear of litigation. In order to encourage businesses in Texas to develop and promote employee wellness programs, H.B. 2390 seeks to address this concern.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2390 amends the Civil Practice and Remedies Code to prohibit a civil action from being brought against an employer for establishing, maintaining, or requiring participation in an employee wellness program unless the program discriminates on the basis of a prior medical condition, gender, age, or income level or the cause of action is based on intentional or reckless conduct. The bill expressly does not create a cause of action or expand an existing cause of action.

EFFECTIVE DATE

September 1, 2015.