

Amend CSHB 4180 (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Title 3, Labor Code, is amended by adding Chapter 106 to read as follows:

CHAPTER 106. CRIMINAL HISTORY RECORD INFORMATION OF EMPLOYMENT

APPLICANT OR EMPLOYEE

Sec. 106.001. DEFINITIONS. In this chapter:

(1) "Applicant" means a person who has made an oral or written application with a private employer, or has sent a resume or other correspondence to a private employer, indicating an interest in employment.

(2) "Criminal history record information" means information collected by a criminal justice agency about a person's arrests, detentions, and criminal charges and the dispositions of those criminal charges.

Sec. 106.002. CERTAIN LOCAL REGULATION OF PRIVATE EMPLOYERS PROHIBITED. A political subdivision of this state may not adopt or enforce any ordinance or other local regulation that prohibits, limits, delays, or otherwise regulates a private employer's ability to inquire about, request, consider, or take employment action based on the criminal history record information of an applicant or employee or criminal history provided by an applicant or employee.

Sec. 106.003. NONAPPLICABILITY. This chapter does not prevent a political subdivision of this state from adopting or enforcing an ordinance or other local regulation relating to the access to or consideration of the criminal history record information of an individual or criminal history provided by an individual:

(1) entering into a contract or other agreement with the political subdivision as it relates to hiring within the scope of performance of duties under that contract or agreement; or

(2) receiving a grant from the political subdivision as it relates to hiring within the scope of performance of duties under that grant.