

## **BILL ANALYSIS**

C.S.S.B. 2485  
By: Creighton  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been suggested that the Texas economy has been vibrant for many years due to a regulatory climate that enables businesses to thrive under a smart approach and balance to government regulation. However, there are concerns that some cities in Texas have begun to expand their regulatory scope and pass local ordinances regarding private employment practices, which are matters that have traditionally been handled at the state and federal level for the sake of consistency and compliance. It has been suggested that these ordinances have created an inconsistent patchwork of regulations that make it difficult for cities to attract new businesses and for businesses to operate in multiple jurisdictions. C.S.S.B. 2485 seeks to address this issue by ensuring that regulation of employment leave, health, disability, retirement, and other benefits occurs at the state level.

### **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**

C.S.S.B. 2485 amends the Labor Code to prohibit a political subdivision of the state from adopting or enforcing an ordinance, order, rule, regulation, or policy mandating a private employer's terms of employment relating to employment benefits, including health, disability, retirement, profit-sharing, death, and group accidental death and dismemberment benefits. The bill makes such an ordinance, order, rule, regulation, or policy void and unenforceable. The bill expressly does not affect the Texas Minimum Wage Act or an ordinance, order, rule, regulation, or policy that prohibits employment discrimination, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2019. The bill applies to an ordinance, order, rule, regulation, or policy adopted before, on, or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 2485 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute includes a provision establishing that the bill does not affect the Texas Minimum Wage Act or an ordinance, order, rule, regulation, or policy that prohibits employment discrimination, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2019.