

BILL ANALYSIS

S.B. 2488
By: Creighton
State Affairs
Committee Report (Unamended)

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 traditionally have 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. S.B. 2488 seeks to address this issue by ensuring that regulation of a private employer's ability to request, consider, or take employment action based on the criminal history record information of an applicant or employee 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

S.B. 2488 amends the Labor Code to prohibit a political subdivision of the state from adopting or enforcing any ordinance, order, rule, regulation, or policy that prohibits, limits, or otherwise regulates a private employer's ability to request, consider, or take employment action based on the criminal history record information of an applicant or employee. 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.