By:  Creighton, Buckingham, Campbell S.B. No. 15

(In the Senate - Filed February 12, 2019; February 14, 2019, read first time and referred to Committee on Natural Resources & Economic Development; February 25, 2019, rereferred to Committee on State Affairs; March 4, 2019, reported adversely, with favorable Committee Substitute by the following vote: Yeas 6, Nays 1; March 4, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Huffman         X

Hughes          X

Birdwell        X

Creighton       X

Fallon          X

Hall                      X

Lucio                     X

Nelson          X

Zaffirini           X

COMMITTEE SUBSTITUTE FOR S.B. No. 15 By:  Creighton

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition against certain local regulation of private employers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Title 3, Labor Code, is amended by adding Chapter 106 to read as follows:

CHAPTER 106. PROHIBITION AGAINST LOCAL REGULATION OF EMPLOYMENT BENEFITS AND POLICIES

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" has the meaning assigned by Section 411.082, Government Code.

(3)  "Employee" means an individual who is employed by an employer for compensation.

(4)  "Employer" means a person who employs one or more employees.

(5)  "Employment benefit" means anything of value that an employee receives from an employer in addition to monetary compensation.

Sec. 106.002.  EMPLOYMENT LEAVE, EMPLOYMENT BENEFITS, AND OTHER TERMS OF EMPLOYMENT. (a)  A political subdivision of this state may not adopt or enforce an ordinance, order, rule, regulation, or policy regulating a private employer's terms of employment relating to:

(1)  any form of employment leave, including paid days off from work for holidays, sick leave, vacation, and personal necessity;

(2)  employment benefits other than employment leave, including health, disability, retirement, profit-sharing, death, and group accidental death and dismemberment benefits; or

(3)  scheduling practices.

(b)  An ordinance, order, rule, regulation, or policy that violates Subsection (a) is void and unenforceable.

Sec. 106.003.  CONSIDERATION OF CRIMINAL HISTORY RECORD INFORMATION OF EMPLOYMENT APPLICANT OR EMPLOYEE. A political subdivision of this state may not adopt or enforce 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.

SECTION 2.  Chapter 106, Labor Code, as added by this Act, applies to an ordinance, order, rule, regulation, or policy adopted before, on, or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2019.

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