By:  Creighton S.B. No. 2488

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a political subdivision to adopt or enforce certain regulations regarding whether a private employer may obtain or consider an employment applicants' or employees' criminal history record information.

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

SECTION 1.  Subtitle D, Title 2, Labor Code, is amended by adding Chapter 83 to read as follows:

CHAPTER 83. LOCAL REGULATION OF EMPLOYMENT PRACTICES

Sec. 83.001.  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.

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

Sec. 83.002A.  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 83, 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.