

By: Creighton, Buckingham, Campbell

S.B. No. 15

A BILL TO BE ENTITLED

AN ACT

relating to the regulation by a municipality or county of certain employment benefits and policies.

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. PROHIBITION AGAINST LOCAL REGULATION OF EMPLOYMENT

BENEFITS AND POLICIES

Sec. 83.001. DEFINITIONS. In this chapter:

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

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

(3) "Employment benefit" means anything of value that an employee receives from an employer beyond regular salary or wages.

Sec. 83.002. PROHIBITION AGAINST MUNICIPALITY OR COUNTY REQUIRING CERTAIN EMPLOYMENT BENEFITS OR POLICIES. (a) A municipality or county may not adopt or enforce an ordinance, order, rule, regulation, or policy requiring any terms of employment that exceed or conflict with federal or state law relating to any form of employment leave, hiring practices, employment benefits, scheduling practices, or other terms of employment.

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

3        (c) This chapter does not affect:

4            (1) the Texas Minimum Wage Act under Chapter 62;

5            (2) an ordinance, order, rule, regulation, or policy  
6 that prohibits employment discrimination, regardless of whether  
7 the ordinance, order, rule, regulation, or policy is adopted  
8 before, on, or after September 1, 2019; or

9            (3) a contract or agreement relating to terms of  
10 employment voluntarily entered into between a private employer or  
11 entity and a governmental entity.

12        SECTION 2. Chapter 83, Labor Code, as added by this Act,  
13 applies to an ordinance, order, rule, regulation, or policy adopted  
14 before, on, or after the effective date of this Act.

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