

By: Creighton, et al.  
(Phelan)

S.B. No. 2486

Substitute the following for S.B. No. 2486:

By: Phelan

C.S.S.B. No. 2486

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition against certain local regulation of the scheduling and overtime compensation practices of private employers.

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 CERTAIN  
EMPLOYMENT PRACTICES

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.

Sec. 83.002. LOCAL REGULATION OF EMPLOYER SCHEDULING PRACTICES OR OVERTIME COMPENSATION PROHIBITED. (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 scheduling practices or overtime compensation.

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

Sec. 83.003. EFFECT OF CHAPTER. This chapter does not affect:

1           (1) the Texas Minimum Wage Act under Chapter 62; or  
2           (2) an ordinance, order, rule, regulation, or policy  
3 that prohibits employment discrimination, regardless of whether  
4 the ordinance, order, rule, regulation, or policy is adopted  
5 before, on, or after September 1, 2019.

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

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