

By: Creighton, et al.

S.B. No. 2488

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority of a political subdivision to adopt or
3 enforce certain regulations regarding whether a private employer
4 may obtain, consider, or take employment action based on an
5 employment applicant's or employee's criminal history record
6 information.

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

8 SECTION 1. Title 3, Labor Code, is amended by adding Chapter
9 106 to read as follows:

10 CHAPTER 106. CRIMINAL HISTORY RECORD INFORMATION OF EMPLOYMENT

11 APPLICANT OR EMPLOYEE

12 Sec. 106.001. DEFINITIONS. In this chapter:

13 (1) "Applicant" means a person who has made an oral or
14 written application with a private employer, or has sent a resume or
15 other correspondence to a private employer, indicating an interest
16 in employment.

17 (2) "Criminal history record information" has the
18 meaning assigned by Section 411.082, Government Code.

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

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

23 Sec. 106.002. CONSIDERATION OF CRIMINAL HISTORY RECORD
24 INFORMATION OF EMPLOYMENT APPLICANT OR EMPLOYEE. A political

1 subdivision of this state may not adopt or enforce any ordinance,
2 order, rule, regulation, or policy that prohibits, limits, or
3 otherwise regulates a private employer's ability to request,
4 consider, or take employment action based on the criminal history
5 record information of an applicant or employee.

6 SECTION 2. Chapter 106, 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.