

By: Creighton, et al.
(Larson)

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, consider, or take employment action based on an employment applicant's or employee's criminal history record information.

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. CRIMINAL HISTORY RECORD INFORMATION OF EMPLOYMENT

APPLICANT OR EMPLOYEE

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.

Sec. 106.002. CONSIDERATION OF CRIMINAL HISTORY RECORD 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.