

AN ACT

relating to preemployment physical examinations for employment with the Texas Department of Transportation.

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

SECTION 1. The heading to Section 505.054, Labor Code, is amended to read as follows:

Sec. 505.054. PREEMPLOYMENT PHYSICAL [~~REQUIRED~~]; EXAMINING PHYSICIANS.

SECTION 2. Sections 505.054(a) and (c), Labor Code, are amended to read as follows:

(a) The department may require that an [~~An~~] individual may not be certified as an employee of the department under this chapter until the individual:

(1) submits to a physical examination as provided by this section; and

(2) is certified by the examining physician to be physically fit to perform the duties and services to which the individual is to be assigned.

(c) The department may [~~shall~~] designate a convenient number of regularly licensed practicing physicians to make physical examinations of individuals [~~employed by or to be employed by the department~~] to determine if the individuals are physically fit for employment with the [~~to be classified as~~] department [~~employees~~].

SECTION 3. Section 505.054(b), Labor Code, is repealed.

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2021.

S.B. No. 1323

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1323 passed the Senate on April 9, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1323 passed the House on May 18, 2021, by the following vote: Yeas 131, Nays 6, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor