

1-1 By: Hinojosa S.B. No. 1323
 1-2 (In the Senate - Filed March 10, 2021; March 18, 2021, read
 1-3 first time and referred to Committee on Transportation;
 1-4 March 31, 2021, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; March 31, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to preemployment physical examinations for employment
 1-20 with the Texas Department of Transportation.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. The heading to Section 505.054, Labor Code, is
 1-23 amended to read as follows:

1-24 Sec. 505.054. PREEMPLOYMENT PHYSICAL [~~REQUIRED~~]; EXAMINING
 1-25 PHYSICIANS.

1-26 SECTION 2. Sections 505.054(a) and (c), Labor Code, are
 1-27 amended to read as follows:

1-28 (a) The department may require that an [An] individual may
 1-29 not be certified as an employee of the department under this chapter
 1-30 until the individual:

1-31 (1) submits to a physical examination as provided by
 1-32 this section; and

1-33 (2) is certified by the examining physician to be
 1-34 physically fit to perform the duties and services to which the
 1-35 individual is to be assigned.

1-36 (c) The department may [~~shall~~] designate a convenient
 1-37 number of regularly licensed practicing physicians to make physical
 1-38 examinations of individuals [~~employed by or to be employed by the~~
 1-39 ~~department~~] to determine if the individuals are physically fit for
 1-40 employment with the [to be classified as] department [employees].

1-41 SECTION 3. Section 505.054(b), Labor Code, is repealed.

1-42 SECTION 4. This Act takes effect immediately if it receives
 1-43 a vote of two-thirds of all the members elected to each house, as
 1-44 provided by Section 39, Article III, Texas Constitution. If this
 1-45 Act does not receive the vote necessary for immediate effect, this
 1-46 Act takes effect September 1, 2021.

1-47 * * * * *