

## **BILL ANALYSIS**

Senate Research Center  
88R29505 SCP-D

C.S.H.B. 915  
By: Craddick; Rose (Parker)  
Natural Resources & Economic Development  
5/18/2023  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In February 2022, Veronica Sanchez was murdered by a coworker upon the completion of her shift. Prior to her death, Ms. Sanchez had notified management that the same coworker had been making her feel uncomfortable. However, the coworker's behavior prior to the murder had not been deemed serious enough to involve law enforcement. H.B. 915 seeks to allow for local law enforcement to be notified of workplace violence even when there is not an immediate emergency by establishing a 24-hour toll-free workplace violence hotline. This will give law enforcement the opportunity to respond in a timely manner or build a proper case for situations of workplace violence or harassment.

(Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 915 amends current law relating to the creation of a workplace hotline and a requirement that employers post notice regarding the hotline.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Workforce Commission in SECTION 1 (Section 104A.003, Labor Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Title 3, Labor Code, by adding Chapter 104A, as follows:

#### CHAPTER 104A. NOTICE OF WORKPLACE VIOLENCE HOTLINE

Sec. 104A.001. DEFINITIONS. Defines "commission," "employee," and "employer."

Sec. 104A.002. NOTICE OF WORKPLACE VIOLENCE HOTLINE. Requires each employer to post a notice to employees of the workplace violence hotline established under Section 51.212, Occupations Code. Requires that the notice be posted:

- (1) in a conspicuous place in the employer's place of business;
- (2) in sufficient locations to be convenient to all employees; and
- (3) in English and Spanish, as appropriate.

Sec. 104A.003. RULES. Requires the Texas Workforce Commission (TWC), in consultation with the Texas Department of Licensing and Regulation (TDLR), by rule to prescribe the form and content of the notice required by this section. Requires that the rules require that the notice:

- (1) contain the workplace violence hotline telephone number; and
- (2) inform employees of the right to make a report to the hotline anonymously.

SECTION 2. Amends Subchapter D, Chapter 51, Occupations Code, by adding Section 51.212, as follows:

Sec. 51.212. WORKPLACE VIOLENCE HOTLINE. (a) Defines "workplace violence."

(b) Requires TDLR to establish and maintain a toll-free telephone service for reports of workplace violence in this state.

(c) Requires that a report of workplace violence made to the hotline under this section be referred to the appropriate local or state law enforcement agency for investigation.

(d) Requires TDLR to make an audio recording of each call received by the hotline. Requires TDLR to retain the recording of the call for at least six months after the date TDLR received the call.

(e) Authorizes a report made under this section to be made anonymously.

SECTION 3. Requires TDLR, not later than February 1, 2024, to establish the workplace violence hotline as required by Section 51.212, Occupations Code, as added by this Act.

SECTION 4. Requires TWC, not later than March 1, 2024, to adopt rules as required by Section 104A.003, Labor Code, as added by this Act.

SECTION 5. (a) Provides that a state agency to which this Act applies, notwithstanding any other provision of this Act, in a state fiscal year, is not required to implement a provision found in another provision of this Act that is a mandatory provision imposing a duty on the agency to take an action unless money is specifically appropriated to the agency for that fiscal year to carry out that duty. Authorizes the agency to implement the provision in that fiscal year to the extent other funding is available to the agency to do so.

(b) Requires a state agency to which this Act applies, if, as authorized by Subsection (a) of this section, the state agency does not implement a mandatory provision in a state fiscal year, in its legislative appropriation request for the next state fiscal biennium, to certify that fact to the Legislative Budget Board and include a written estimate of the cost of implementing the provision in each year of that next state fiscal biennium.

(c) Provides that this section expires and any duty suspended by Subsection (a) of this section becomes mandatory on September 1, 2027.

SECTION 6. Effective date: September 1, 2023.