

By: Bettencourt

S.B. No. 1469

A BILL TO BE ENTITLED

AN ACT

relating to requiring certain information before being employed by a child-care facility.

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

SECTION 1. Subchapter C, Chapter 42, Human Resources Code, is amended by adding Section 42.0563 to read as follows:

Sec. 42.0563. PRE-EMPLOYMENT AFFIDAVIT. (a) An applicant for a position with a child-care facility must submit, using a form adopted by the department, a pre-employment affidavit disclosing whether the applicant has ever been charged with, adjudicated for, or convicted of having an inappropriate relationship with a minor.

(b) An applicant who answers affirmatively concerning an inappropriate relationship with a minor must disclose in the affidavit all relevant facts pertaining to the charge, adjudication, or conviction, including, for a charge, whether the charge was determined to be true or false.

(c) An applicant is not precluded from being employed based on a disclosed charge if the employing entity determines based on the information disclosed in the affidavit that the charge was false.

(d) A determination that an employee failed to disclose information required to be disclosed by an applicant under this section is grounds for termination of employment.

SECTION 2. This Act takes effect September 1, 2023.