

AN ACT

relating to hiring and employment requirements for persons in direct contact with children at certain facilities.

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

SECTION 1. Subtitle D, Title 9, Health and Safety Code, is amended by adding Chapter 811 to read as follows:

CHAPTER 811. EMPLOYMENT REQUIREMENTS FOR CERTAIN FACILITIES TO PREVENT PHYSICAL OR SEXUAL ABUSE OF CHILDREN

Sec. 811.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Health and Human Services Commission.

(2) "Department" means the Texas Juvenile Justice Department.

(3) "Facility" means:

(A) a residential treatment facility or group home licensed or otherwise regulated by the commission;

(B) a juvenile detention facility regulated by the department; or

(C) a shelter operated by or under the authority of a county or municipality that provides temporary living accommodations for individuals who are homeless.

Sec. 811.002. APPLICABILITY. This chapter applies only to the following governmental entities:

(1) the commission;

1 (2) the department;

2 (3) a county; and

3 (4) a municipality.

4 Sec. 811.003. REQUIRED CRIMINAL HISTORY RECORD INFORMATION
5 REVIEW AND EMPLOYMENT VERIFICATION. (a) A governmental entity to
6 which this chapter applies shall ensure each facility the entity
7 regulates or operates reviews state criminal history record
8 information and conducts an employment verification for each
9 person:

10 (1) who is:

11 (A) an applicant selected for employment with the
12 facility;

13 (B) an employee of the facility;

14 (C) an applicant selected for a volunteer
15 position with the facility;

16 (D) a volunteer with the facility;

17 (E) an applicant selected for an independent
18 contractor position with the facility; or

19 (F) an independent contractor of the facility;
20 and

21 (2) who may be placed in direct contact with a child
22 receiving services at the facility.

23 (b) For purposes of Subsection (a)(2), a person may be
24 placed in direct contact with a child if the person's position
25 potentially requires the person to:

26 (1) provide care, supervision, or guidance to a child;

27 (2) exercise any form of control over a child; or

1 (3) routinely interact with a child.

2 (c) In conducting an employment verification under
3 Subsection (a), the facility must, to the extent possible, contact
4 the previous employers listed in the submitted application
5 materials for each applicant.

6 (d) Each facility shall obtain electronic updates from the
7 Department of Public Safety of arrests and convictions for each
8 person:

9 (1) described by Subsection (a)(1)(B), (D), or (F);
10 and

11 (2) who continues as an employee, volunteer, or
12 independent contractor or who otherwise continues to be placed in
13 direct contact with a child at the facility.

14 (e) A facility that submits a name for a background and
15 criminal history check in accordance with Section 42.056, Human
16 Resources Code, and rules adopted under that section for each
17 person described by Subsection (a) is considered to be in
18 compliance with the requirements of this section.

19 (f) The executive commissioner of the commission may adopt
20 rules as necessary to implement this section, including rules on
21 existing employment verification procedures for residential
22 treatment facilities that satisfy the requirements of this section.

23 Sec. 811.004. EFFECT OF CERTAIN CRIMINAL CONVICTIONS. (a)
24 A facility may not offer a person an employment, volunteer, or
25 independent contractor position and must terminate the person's
26 position if, based on a criminal history record information review,
27 an employment verification, or a background and criminal history

1 check conducted in accordance with Section 42.056, Human Resources
2 Code, of that person, the facility discovers the person engaged in
3 physical or sexual abuse of a child constituting an offense under
4 Section 21.02, 22.011, 22.021, or 25.02, Penal Code.

5 (b) A separation agreement for a facility employee,
6 volunteer, or independent contractor may not include a provision
7 that prohibits disclosure to a prospective employer of conduct
8 constituting an offense under Section 21.02, 22.011, 22.021, or
9 25.02, Penal Code.

10 Sec. 811.005. TRAINING REQUIREMENTS. A facility must
11 provide training to each employee, volunteer, or independent
12 contractor who may be placed in direct contact with a child. The
13 training must include:

14 (1) recognition of the signs of physical and sexual
15 abuse and reporting requirements for suspected physical and sexual
16 abuse;

17 (2) the facility's policies related to reporting of
18 physical and sexual abuse; and

19 (3) methods for maintaining professional and
20 appropriate relationships with children.

21 SECTION 2. Section 811.004(b), Health and Safety Code, as
22 added by this Act, applies only to an agreement entered into on or
23 after the effective date of this Act.

24 SECTION 3. This Act takes effect September 1, 2025.

H.B. No. 3153

President of the Senate

Speaker of the House

I certify that H.B. No. 3153 was passed by the House on May 14, 2025, by the following vote: Yeas 135, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3153 on May 28, 2025, by the following vote: Yeas 137, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3153 was passed by the Senate, with amendments, on May 23, 2025, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor