

1-1 By: Kerwin, et al. (Senate Sponsor - Kolkhorst) H.B. No. 3153
1-2 (In the Senate - Received from the House May 14, 2025;
1-3 May 15, 2025, read first time and referred to Committee on Health &
1-4 Human Services; May 22, 2025, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 May 22, 2025, sent to printer.)

1-7	COMMITTEE VOTE			
1-8		Yea	Nay	Absent
1-9	Kolkhorst	X		PNV
1-10	Perry	X		
1-11	Blanco	X		
1-12	Cook	X		
1-13	Hall	X		
1-14	Hancock	X		
1-15	Hughes			X
1-16	Miles	X		
1-17	Sparks	X		

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3153 By: Hancock

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to hiring and employment requirements for persons in
1-22 direct contact with children at certain facilities.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subtitle D, Title 9, Health and Safety Code, is
1-25 amended by adding Chapter 811 to read as follows:

1-26 CHAPTER 811. EMPLOYMENT REQUIREMENTS FOR CERTAIN FACILITIES TO
1-27 PREVENT PHYSICAL OR SEXUAL ABUSE OF CHILDREN

1-28 Sec. 811.001. DEFINITIONS. In this chapter:

1-29 (1) "Commission" means the Health and Human Services
1-30 Commission.

1-31 (2) "Department" means the Texas Juvenile Justice
1-32 Department.

1-33 (3) "Facility" means:

1-34 (A) a residential treatment facility or group
1-35 home licensed or otherwise regulated by the commission;

1-36 (B) a juvenile detention facility regulated by
1-37 the department; or

1-38 (C) a shelter operated by or under the authority
1-39 of a county or municipality that provides temporary living
1-40 accommodations for individuals who are homeless.

1-41 Sec. 811.002. APPLICABILITY. This chapter applies only to
1-42 the following governmental entities:

1-43 (1) the commission;

1-44 (2) the department;

1-45 (3) a county; and

1-46 (4) a municipality.

1-47 Sec. 811.003. REQUIRED CRIMINAL HISTORY RECORD INFORMATION
1-48 REVIEW AND EMPLOYMENT VERIFICATION. (a) A governmental entity to
1-49 which this chapter applies shall ensure each facility the entity
1-50 regulates or operates reviews state criminal history record
1-51 information and conducts an employment verification for each
1-52 person:

1-53 (1) who is:

1-54 (A) an applicant selected for employment with the
1-55 facility;

1-56 (B) an employee of the facility;

1-57 (C) an applicant selected for a volunteer
1-58 position with the facility;

1-59 (D) a volunteer with the facility;

1-60 (E) an applicant selected for an independent

contractor position with the facility; or
(F) an independent contractor of the facility;
and

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

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

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

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

(3) routinely interact with a child.

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

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

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

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

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

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

Sec. 811.004. EFFECT OF CERTAIN CRIMINAL CONVICTIONS. (a)
A facility may not offer a person an employment, volunteer, or
independent contractor position and must terminate the person's
position if, based on a criminal history record information review,
an employment verification, or a background and criminal history
check conducted in accordance with Section 42.056, Human Resources
Code, of that person, the facility discovers the person engaged in
physical or sexual abuse of a child constituting an offense under
Section 21.02, 22.011, 22.021, or 25.02, Penal Code.

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

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

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

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

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

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

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

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