

1-1 By: Creighton, Buckingham, Campbell S.B. No. 15  
1-2 (In the Senate - Filed February 12, 2019; February 14, 2019,  
1-3 read first time and referred to Committee on Natural Resources &  
1-4 Economic Development; February 25, 2019, rereferred to Committee  
1-5 on State Affairs; March 4, 2019, reported adversely, with  
1-6 favorable Committee Substitute by the following vote: Yeas 6,  
1-7 Nays 1; March 4, 2019, sent to printer.)

1-8 COMMITTEE VOTE

1-9		Yea	Nay	Absent	PNV
1-10	Huffman	X			
1-11	Hughes	X			
1-12	Birdwell	X			
1-13	Creighton	X			
1-14	Fallon	X			
1-15	Hall			X	
1-16	Lucio			X	
1-17	Nelson	X			
1-18	Zaffirini		X		

1-19 COMMITTEE SUBSTITUTE FOR S.B. No. 15 By: Creighton

1-20 A BILL TO BE ENTITLED  
1-21 AN ACT

1-22 relating to a prohibition against certain local regulation of  
1-23 private employers.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Title 3, Labor Code, is amended by adding Chapter  
1-26 106 to read as follows:

1-27 CHAPTER 106. PROHIBITION AGAINST LOCAL REGULATION OF EMPLOYMENT  
1-28 BENEFITS AND POLICIES

1-29 Sec. 106.001. DEFINITIONS. In this chapter:

1-30 (1) "Applicant" means a person who has made an oral or  
1-31 written application with a private employer, or has sent a resume or  
1-32 other correspondence to a private employer, indicating an interest  
1-33 in employment.

1-34 (2) "Criminal history record information" has the  
1-35 meaning assigned by Section 411.082, Government Code.

1-36 (3) "Employee" means an individual who is employed by  
1-37 an employer for compensation.

1-38 (4) "Employer" means a person who employs one or more  
1-39 employees.

1-40 (5) "Employment benefit" means anything of value that  
1-41 an employee receives from an employer in addition to monetary  
1-42 compensation.

1-43 Sec. 106.002. EMPLOYMENT LEAVE, EMPLOYMENT BENEFITS, AND  
1-44 OTHER TERMS OF EMPLOYMENT. (a) A political subdivision of this  
1-45 state may not adopt or enforce an ordinance, order, rule,  
1-46 regulation, or policy regulating a private employer's terms of  
1-47 employment relating to:

1-48 (1) any form of employment leave, including paid days  
1-49 off from work for holidays, sick leave, vacation, and personal  
1-50 necessity;

1-51 (2) employment benefits other than employment leave,  
1-52 including health, disability, retirement, profit-sharing, death,  
1-53 and group accidental death and dismemberment benefits; or

1-54 (3) scheduling practices.

1-55 (b) An ordinance, order, rule, regulation, or policy that  
1-56 violates Subsection (a) is void and unenforceable.

1-57 Sec. 106.003. CONSIDERATION OF CRIMINAL HISTORY RECORD  
1-58 INFORMATION OF EMPLOYMENT APPLICANT OR EMPLOYEE. A political  
1-59 subdivision of this state may not adopt or enforce any ordinance,  
1-60 order, rule, regulation, or policy that prohibits, limits, or

2-1 otherwise regulates a private employer's ability to request,  
2-2 consider, or take employment action based on the criminal history  
2-3 record information of an applicant or employee.

2-4 SECTION 2. Chapter 106, Labor Code, as added by this Act,  
2-5 applies to an ordinance, order, rule, regulation, or policy adopted  
2-6 before, on, or after the effective date of this Act.

2-7 SECTION 3. This Act takes effect September 1, 2019.

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