

By: Guillen

H.B. No. 2329

A BILL TO BE ENTITLED

1 AN ACT

2 relating to employment at or by certain facilities serving the
3 elderly or persons with disabilities.

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

5 SECTION 1. Section 250.006(a), Health and Safety Code, is
6 amended to read as follows:

7 (a) A person for whom the facility is entitled to obtain
8 criminal history record information may not be employed in a
9 facility if the person has been convicted of an offense listed in
10 this subsection:

11 (1) an offense under Chapter 19, Penal Code (criminal
12 homicide);

15 (3) an offense under Section 21.02, Penal Code
16 (continuous sexual abuse of young child or children), or Section
17 21.11 Penal Code (indecency with a child):

18 (4) an offense under Section 22.011, Penal Code
19 (sexual assault).

20 (5) an offense under Section 22.02, Penal Code
21 (aggravated assault):

22 (6) an offense under Section 22.04, Penal Code (injury
23 to a child, elderly individual, or disabled individual);

(7) an offense under Section 22.041, Penal Code.

1 (abandoning or endangering child);
2 (8) an offense under Section 22.08, Penal Code (aiding
3 suicide);
4 (9) an offense under Section 25.031, Penal Code
5 (agreement to abduct from custody);
6 (10) an offense under Section 25.08, Penal Code (sale
7 or purchase of a child);
8 (11) an offense under Section 28.02, Penal Code
9 (arson);
10 (12) an offense under Section 29.02, Penal Code
11 (robbery);
12 (13) an offense under Section 29.03, Penal Code
13 (aggravated robbery);
14 (14) an offense under Section 21.08, Penal Code
15 (indecent exposure);
16 (15) an offense under Section 21.12, Penal Code
17 (improper relationship between educator and student);
18 (16) an offense under Section 21.15, Penal Code
19 (improper photography or visual recording);
20 (17) an offense under Section 22.05, Penal Code
21 (deadly conduct);
22 (18) an offense under Section 22.021, Penal Code
23 (aggravated sexual assault);
24 (19) an offense under Section 22.07, Penal Code
25 (terroristic threat);
26 (20) an offense under Section 33.021, Penal Code
27 (online solicitation of a minor);

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(21) an offense under Section 34.02, Penal Code (money laundering);

3 (22) an offense under Section 35A.02, Penal Code
4 (Medicaid fraud):

5 (23) an offense under Section 36.06, Penal Code
6 (obstruction or retaliation):

13 SECTION 2. The heading to Chapter 253, Health and Safety
14 Code, is amended to read as follows:

15 CHAPTER 253. CERTAIN EMPLOYEE MISCONDUCT; REGISTRY

16 SECTION 3. Chapter 253, Health and Safety Code, is amended
17 by adding Section 253.011 to read as follows:

18 Sec. 253.011. CERTAIN GIFTS PROHIBITED. (a) An employee of
19 a facility may not solicit, accept, or agree to accept, in any
20 month, one or more gifts with a total value of \$100 or more from a
21 resident or consumer.

22 (b) An employee who violates this section commits
23 reportable conduct for purposes of this chapter.

24 SECTION 4. This Act takes effect September 1, 2009.