

AN ACT

relating to the eligibility of employees convicted of certain offenses to provide services under a contract with a public school.

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

SECTION 1. Section 22.0834(o), Education Code, is amended to read as follows:

(o) A contracting or subcontracting entity may not permit an employee to whom Subsection (a) applies to provide services at a school if the employee has been convicted of a felony or misdemeanor offense that would prevent a person from being employed [~~obtaining certification as an educator~~] under Section 22.085(a) [~~21.060~~].

SECTION 2. Section 22.0834(o), Education Code, as amended by this Act, applies to the provision of services at a public school by an employee of a contracting or subcontracting entity without regard to whether the contract or subcontract under which the person is employed was entered into before, on, or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

\_\_\_\_\_  
President of the Senate

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Speaker of the House

I certify that H.B. No. 398 was passed by the House on April 26, 2011, by the following vote: Yeas 148, Nays 0, 2 present, not voting.

\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 398 was passed by the Senate on May 25, 2011, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

\_\_\_\_\_  
Governor