

1-1 By: Perry S.B. No. 722
 1-2 (In the Senate - Filed February 24, 2015; March 2, 2015, read
 1-3 first time and referred to Committee on Natural Resources and
 1-4 Economic Development; March 11, 2015, reported favorably by the
 1-5 following vote: Yeas 8, Nays 3; March 11, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13		X		
1-14	X			
1-15	X			
1-16	X			
1-17		X		
1-18		X		

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

1-21 relating to a disqualification for unemployment benefits for
 1-22 refusing to take or failing a preemployment drug test.

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

1-24 SECTION 1. Section 207.047, Labor Code, is amended by
 1-25 adding Subsections (a-1) and (a-2) to read as follows:

1-26 (a-1) For purposes of Subsection (a), an individual is
 1-27 considered to have failed, without good cause, to accept suitable
 1-28 work offered to the individual by an employer if:

1-29 (1) as a condition of employment, the employer
 1-30 required the individual to submit to a preemployment drug test; and

1-31 (2) the individual:

1-32 (A) refused, without good cause, to submit to the
 1-33 drug test; or

1-34 (B) failed the drug test, unless the failure was
 1-35 caused by the use of a substance that was prescribed by a health
 1-36 care practitioner as medically necessary for the individual.

1-37 (a-2) The commission by rule shall specify the
 1-38 circumstances under which a person is considered to have good cause
 1-39 for refusing to submit to a drug test under Subsection (a-1).

1-40 SECTION 2. Not later than December 1, 2015, the Texas
 1-41 Workforce Commission shall adopt rules necessary to implement
 1-42 Section 207.047(a-1), Labor Code, as added by this Act.

1-43 SECTION 3. The change in law made by this Act applies only
 1-44 to a claim for unemployment compensation benefits filed with the
 1-45 Texas Workforce Commission on or after December 1, 2015. A claim
 1-46 filed before December 1, 2015, is governed by the law in effect on
 1-47 the date the claim was filed, and the former law is continued in
 1-48 effect for that purpose.

1-49 SECTION 4. This Act takes effect September 1, 2015.

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