

1-1 By: Craddick, Rose H.B. No. 915
 1-2 (Senate Sponsor - Parker)
 1-3 (In the Senate - Received from the House May 1, 2023;
 1-4 May 1, 2023, read first time and referred to Committee on Natural
 1-5 Resources & Economic Development; May 19, 2023, reported
 1-6 adversely, with favorable Committee Substitute by the following
 1-7 vote: Yeas 8, Nays 0; May 19, 2023, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
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 COMMITTEE SUBSTITUTE FOR H.B. No. 915 By: Hughes

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

1-22 relating to the creation of a workplace violence hotline and a
 1-23 requirement that employers post notice regarding the hotline.

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 104A to read as follows:

1-27 CHAPTER 104A. NOTICE OF WORKPLACE VIOLENCE HOTLINE

1-28 Sec. 104A.001. DEFINITIONS. In this chapter:

1-29 (1) "Commission" means the Texas Workforce
 1-30 Commission.

1-31 (2) "Employee" means an individual who is employed by
 1-32 an employer for compensation.

1-33 (3) "Employer" means a person who employs one or more
 1-34 employees.

1-35 Sec. 104A.002. NOTICE OF WORKPLACE VIOLENCE HOTLINE. Each
 1-36 employer shall post a notice to employees of the workplace violence
 1-37 hotline established under Section 51.212, Occupations Code. The
 1-38 notice must be posted:

1-39 (1) in a conspicuous place in the employer's place of
 1-40 business;

1-41 (2) in sufficient locations to be convenient to all
 1-42 employees; and

1-43 (3) in English and Spanish, as appropriate.

1-44 Sec. 104A.003. RULES. The commission, in consultation with
 1-45 the Texas Department of Licensing and Regulation, by rule shall
 1-46 prescribe the form and content of the notice required by this
 1-47 section. The rules must require that the notice:

1-48 (1) contain the workplace violence hotline telephone
 1-49 number; and

1-50 (2) inform employees of the right to make a report to
 1-51 the hotline anonymously.

1-52 SECTION 2. Subchapter D, Chapter 51, Occupations Code, is
 1-53 amended by adding Section 51.212 to read as follows:

1-54 Sec. 51.212. WORKPLACE VIOLENCE HOTLINE. (a) In this
 1-55 section, "workplace violence" means any act or threat of physical
 1-56 violence, harassment, intimidation, or other threatening
 1-57 disruptive behavior that occurs at the worksite.

1-58 (b) The department shall establish and maintain a toll-free
 1-59 telephone service for reports of workplace violence in this state.

1-60 (c) A report of workplace violence made to the hotline under

2-1 this section shall be referred to the appropriate local or state law
2-2 enforcement agency for investigation.

2-3 (d) The department shall make an audio recording of each
2-4 call received by the hotline. The department shall retain the
2-5 recording of the call for at least six months after the date the
2-6 department received the call.

2-7 (e) A report made under this section may be made
2-8 anonymously.

2-9 SECTION 3. Not later than February 1, 2024, the Texas
2-10 Department of Licensing and Regulation shall establish the
2-11 workplace violence hotline as required by Section 51.212,
2-12 Occupations Code, as added by this Act.

2-13 SECTION 4. Not later than March 1, 2024, the Texas Workforce
2-14 Commission shall adopt rules as required by Section 104A.003, Labor
2-15 Code, as added by this Act.

2-16 SECTION 5. (a) Notwithstanding any other provision of this
2-17 Act, in a state fiscal year, a state agency to which this Act
2-18 applies is not required to implement a provision found in another
2-19 provision of this Act that is a mandatory provision imposing a duty
2-20 on the agency to take an action unless money is specifically
2-21 appropriated to the agency for that fiscal year to carry out that
2-22 duty. The agency may implement the provision in that fiscal year to
2-23 the extent other funding is available to the agency to do so.

2-24 (b) If, as authorized by Subsection (a) of this section, a
2-25 state agency to which this Act applies does not implement a
2-26 mandatory provision in a state fiscal year, the agency, in its
2-27 legislative appropriations request for the next state fiscal
2-28 biennium, shall certify that fact to the Legislative Budget Board
2-29 and include a written estimate of the cost of implementing the
2-30 provision in each year of that next state fiscal biennium.

2-31 (c) This section expires and any duty suspended by
2-32 Subsection (a) of this section becomes mandatory on September 1,
2-33 2027.

2-34 SECTION 6. This Act takes effect September 1, 2023.

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