

1-1 By: Bettencourt S.B. No. 1469  
 1-2 (In the Senate - Filed March 2, 2023; March 16, 2023, read  
 1-3 first time and referred to Committee on Education; March 28, 2023,  
 1-4 rereferred to Committee on Health & Human Services; April 17, 2023,  
 1-5 reported favorably by the following vote: Yeas 9, Nays 0;  
 1-6 April 17, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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 A BILL TO BE ENTITLED  
 1-19 AN ACT

1-20 relating to requiring certain information before being employed by  
 1-21 a child-care facility.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter C, Chapter 42, Human Resources Code,  
 1-24 is amended by adding Section 42.0563 to read as follows:

1-25 Sec. 42.0563. PRE-EMPLOYMENT AFFIDAVIT. (a) An applicant  
 1-26 for a position with a child-care facility must submit, using a form  
 1-27 adopted by the department, a pre-employment affidavit disclosing  
 1-28 whether the applicant has ever been charged with, adjudicated for,  
 1-29 or convicted of having an inappropriate relationship with a minor.

1-30 (b) An applicant who answers affirmatively concerning an  
 1-31 inappropriate relationship with a minor must disclose in the  
 1-32 affidavit all relevant facts pertaining to the charge,  
 1-33 adjudication, or conviction, including, for a charge, whether the  
 1-34 charge was determined to be true or false.

1-35 (c) An applicant is not precluded from being employed based  
 1-36 on a disclosed charge if the employing entity determines based on  
 1-37 the information disclosed in the affidavit that the charge was  
 1-38 false.

1-39 (d) A determination that an employee failed to disclose  
 1-40 information required to be disclosed by an applicant under this  
 1-41 section is grounds for termination of employment.

1-42 SECTION 2. This Act takes effect September 1, 2023.

1-43 \* \* \* \* \*