

AN ACT

relating to convictions barring employment in certain facilities serving the elderly or persons with disabilities.

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

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

(b) A person [~~convicted of an offense under Chapter 31, Penal Code, that is punishable as a felony~~] may not be employed in a position the duties of which involve direct contact with a consumer in a facility before the fifth anniversary of the date the person is convicted of:

(1) an offense under Section 22.01, Penal Code (assault), that is punishable as a Class A misdemeanor or as a felony;

(2) an offense under Section 30.02, Penal Code (burglary);

(3) an offense under Chapter 31, Penal Code (theft), that is punishable as a felony;

(4) an offense under Section 32.45, Penal Code (misapplication of fiduciary property or property of a financial institution), that is punishable as a Class A misdemeanor or a felony; or

(5) an offense under Section 32.46, Penal Code (securing execution of a document by deception), that is

1 punishable as a Class A misdemeanor or a felony [~~the conviction~~].

2 SECTION 2. The change in law made by this Act to Section
3 250.006, Health and Safety Code, does not apply to a person who is
4 employed by a facility on the effective date of this Act for the
5 period during which the person is continuously employed by that
6 facility.

7 SECTION 3. This Act takes effect September 1, 2003.

David Newkum

President of the Senate

Jim Cusick

Speaker of the House

I certify that H.B. No. 1971 was passed by the House on April 25, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 1971 on May 30, 2003, by a non-record vote.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 1971 was passed by the Senate, with amendments, on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Patsy Spaw
Secretary of the Senate

APPROVED: 20 JUN 03

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:30^{PM} O'CLOCK

Ann Shea
Secretary of State
JUN 20 2003