

BILL ANALYSIS

S.B. 1498
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Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties believe that state level regulation of temporary common worker employers is unnecessary. S.B. 1498 seeks to revise provisions regulating such employers.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1498 repeals Labor Code provisions relating to a temporary common worker employer license and requiring the Texas Department of Licensing and Regulation (TDLR) and the Texas Commission of Licensing and Regulation to exercise related regulatory, administrative, and licensing authority. The bill amends the Labor Code to instead authorize a governmental subdivision to enforce statutory provisions relating to temporary common worker employers within the boundaries of the governmental subdivision and to reflect that authorization and the repeal of TDLR and commission regulation of temporary common worker employers and of certain licensing requirements for such employers. The bill authorizes a person to operate as a temporary common worker employer in Texas if the person meets the applicable statutory requirements, subject to certain municipal requirements and unless prohibited by a governmental subdivision.

S.B. 1498 dismisses an administrative proceeding pending on the bill's effective date related to a violation of statutory provisions governing temporary common worker employers and authorizes an administrative penalty assessed by the commission or the executive director of TDLR related to such a violation, as those provisions existed immediately before the bill's effective date, to be collected as provided by Occupations Code provisions governing TDLR.

S.B. 1498 repeals the following provisions of the Labor Code:

- Sections 92.002(1), (4), and (4-a)
- Section 92.003
- Section 92.004
- Section 92.011

- Section 92.013(a)
- Section 92.014
- Section 92.015
- Section 92.023(a)

EFFECTIVE DATE

September 1, 2017.