

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 2485  
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State Affairs  
4/6/2019  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas economy has been vibrant for many years due to a regulatory climate that enables businesses, large and small, to thrive under a smart approach and balance to government regulation.

Job creators have left states that have burdensome regulations and weak economic environments and flocked to Texas, which remains one of the best states to do business, with historic low unemployment rates. Texas businesses naturally evolve in order to remain competitive in this healthy environment by offering attractive benefits and wages.

However, Texas cities have begun to expand their regulatory scope and pass local ordinances regarding private employment practices—matters that have traditionally been handled at the state and federal level for the sake of better consistency and compliance. These ordinances have created an inconsistent patchwork of regulations that make it difficult for cities to attract new businesses, create jobs, and for businesses to operate in multiple jurisdictions.

S.B. 2485 ensures that regulation of employment leave and health, disability, retirement, profit-sharing, death, group, accidental death, and dismemberment benefits take place at the state level. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 2485 amends current law relating to a prohibition against certain local regulation of certain employment benefits provided by private employers.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subtitle D, Title 2, Labor Code, by adding Chapter 83, as follows:

#### **CHAPTER 83. PROHIBITION AGAINST LOCAL REGULATION OF CERTAIN EMPLOYMENT PRACTICES**

Sec. 83.001. DEFINITIONS. Defines "employee" and "employer."

Sec. 83.002. LOCAL REGULATION OF EMPLOYER SCHEDULING PRACTICES PROHIBITED. (a) Prohibits a political subdivision of this state from adopting or enforcing any ordinance, order, rule, regulation, or policy mandating a private employer's terms of employment relating to employer scheduling practices.

(b) Provides that an ordinance, order, rule, regulation, or policy that violates Subsection (a) is void and unenforceable.

SECTION 2. Provides that Chapter 83, Labor Code, as added by this Act, applies to an ordinance, order, rule, regulation, or policy adopted before, on, or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2019.