

## **BILL ANALYSIS**

Senate Research Center  
80R2040 MSE-D

S.B. 199  
By: Nelson  
Health and Human Services  
2/2/2007  
As Filed

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

Currently, a number of convictions for violent criminal offenses do not bar a person from being employed as a home care attendant. Current law provides a list of hiring prohibitions that prevent a person of certain criminal offenses from being employed to care for certain elderly or persons with disabilities.

As proposed, S.B. 199 adds to the list of offenses that preclude a person from being employed to care for the elderly or disabled.

### **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 Section 250.006(a), Health and Safety Code, as follows:

(a) Prohibits the employment of a person for whom a facility is entitled to obtain criminal history record information if the person has been convicted of any of the following offenses:

(14) Adds an offense under Section 21.08, Penal Code (indecent exposure).

(15) Adds an offense under Section 21.12, Penal Code (improper relationship between educator and student).

(16) Adds an offense under Section 21.15, Penal Code (improper photography or visual recording).

(17) Regarding an offense under Section 22.05, Penal Code (deadly conduct).

(18) Adds an offense under Section 22.021, Penal Code (aggravated sexual assault).

(19) Adds an offense under Section 22.07, Penal Code (terrorist threat).

(20) Adds an offense under Section 33.021, Penal Code (online solicitation of a minor).

(21) Adds an offense under Section 34.02, Penal Code (money laundering).

(22) Adds an offense under Section 35A.02, Penal Code (Medicaid fraud).

(23) Adds an offense under Section 37.12, Penal Code (false identification as peace officer).

(24) Adds an offense under Section 38.02(d), Penal Code (failure to identify).

(25) Adds an offense under Section 42.01(a)(7), 42.01(a)(8), or 42.01(a)(9), Penal Code (disorderly conduct).

(26) Adds an offense under Section 42.09, Penal Code (cruelty to animals).

(27) Redesignates Subdivision 14 as Subdivision 27. Makes a conforming change.

SECTION 2. Effective date: September 1, 2007.