

BILL ANALYSIS

Senate Research Center

S.B. 2485
By: Creighton
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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.

As proposed, S.B. 2485 amends current law relating to the regulation by a political subdivision of certain employment benefits.

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. LOCAL REGULATION OF EMPLOYMENT PRACTICES

Sec. 83.001. DEFINITIONS. Defines "employee," "employer," and "employment benefit."

Sec. 83.002. PROHIBITED LOCAL REGULATIONS. (a) Prohibits a political subdivision of this state from adopting or enforcing any ordinance, order, rule, regulation, or policy regulating a private employer's terms of employment relating to employment benefits other than employment leave, including health, disability, retirement, profit-sharing, death, and group accidental death and dismemberment benefits.

(b) Provides that an ordinance, order, rule, regulation, or policy that violates this section 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.