

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 27, 2023
Date

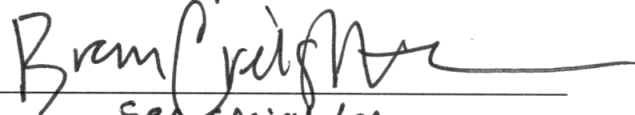
Honorable Dan Patrick
President of the Senate

Honorable Dade Phelan
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 915 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

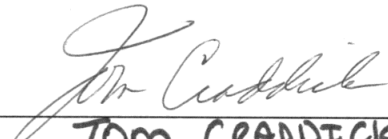

SEN. PARKER


SEN. CRAIGHTON

SEN. HUGHES



SEN. SPARKS

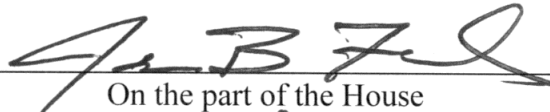
On the part of the Senate
SEN. ZAFFIRANI


TOM CRADDECK


TONI ROSE


FOUR PRICE


GOVERNOR KRISTINE


On the part of the House
JAMES B. FRANK

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 915

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a requirement that employers post notice of certain
3 information regarding reporting instances of workplace violence or
4 suspicious activity.

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

6 SECTION 1. Title 3, Labor Code, is amended by adding Chapter
7 104A to read as follows:

8 CHAPTER 104A. REPORTING WORKPLACE VIOLENCE

9 Sec. 104A.001. DEFINITIONS. In this chapter:

10 (1) "Commission" means the Texas Workforce
11 Commission.

12 (2) "Employee" means an individual who is employed by
13 an employer for compensation.

14 (3) "Employer" means a person who employs one or more
15 employees.

16 Sec. 104A.002. NOTICE BY EMPLOYER. Each employer shall
17 post a notice to employees of the contact information for reporting
18 instances of workplace violence or suspicious activity to the
19 Department of Public Safety. The notice must be posted:

20 (1) in a conspicuous place in the employer's place of
21 business;

22 (2) in sufficient locations to be convenient to all
23 employees; and

24 (3) in English and Spanish, as appropriate.

1 Sec. 104A.003. RULES. The commission, in consultation with
2 the Department of Public Safety, by rule shall prescribe the form
3 and content of the notice required by this section. The rules must
4 require that the notice:

5 (1) contain the contact information for reporting
6 instances of workplace violence or suspicious activity to the
7 Department of Public Safety; and

8 (2) inform employees of the right to make a report to
9 the Department of Public Safety anonymously.

10 SECTION 2. Not later than March 1, 2024, the Texas Workforce
11 Commission shall adopt rules as required by Section 104A.003, Labor
12 Code, as added by this Act.

13 SECTION 3. This Act takes effect September 1, 2023.

House Bill 915
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Title 3, Labor Code, is amended by adding Chapter 104A to read as follows:

CHAPTER 104A. **REPORTING** WORKPLACE VIOLENCE

Sec. 104A.001.

Sec. 104A.002. NOTICE **BY EMPLOYER.**

Each employer shall post a notice to employees of the **contact information for reporting instances of workplace violence or suspicious activity to the Department of Public Safety.** The notice must be posted:

- (1) in a conspicuous place in the employer's place of business;
- (2) in sufficient locations to be convenient to all employees; and
- (3) in English and Spanish, as appropriate.

Sec. 104A.003. RULES. The commission, in consultation with **the Department of Public Safety,** by rule shall prescribe the form and content of the notice required by this section. The rules must require that the notice:

- (1) contain the **contact information for reporting instances of workplace violence or suspicious activity to the Department of Public Safety;** and
- (2) inform employees of the right to make a report to the **Department of Public Safety** anonymously.

No equivalent provision.

SENATE VERSION (CS)

SECTION 1. Same as House version except as follows:

CHAPTER 104A. **NOTICE OF WORKPLACE VIOLENCE HOTLINE**

Sec. 104A.001. Same as House version.

Sec. 104A.002. NOTICE **OF WORKPLACE VIOLENCE HOTLINE.** Each employer shall post a notice to employees of the workplace violence **hotline established under Section 51.212, Occupations Code.** The notice must be posted:

- (1) in a conspicuous place in the employer's place of business;
- (2) in sufficient locations to be convenient to all employees; and
- (3) in English and Spanish, as appropriate.

Sec. 104A.003. RULES. The commission, in consultation with **the Texas Department of Licensing and Regulation,** by rule shall prescribe the form and content of the notice required by this section. The rules must require that the notice:

- (1) contain the workplace violence **hotline telephone number;** and
- (2) inform employees of the right to make a report to the **hotline** anonymously.

SECTION 2. Subchapter D, Chapter 51, Occupations Code, is amended by adding Section 51.212 to read as follows:

Sec. 51.212. WORKPLACE VIOLENCE HOTLINE. (a) In this section, "workplace violence" means any act or threat of physical violence, harassment, intimidation, or other

CONFERENCE

SECTION 1. Same as House version.

Same as House version.

House Bill 915
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

threatening disruptive behavior that occurs at the worksite.

(b) The department shall establish and maintain a toll-free telephone service for reports of workplace violence in this state.

(c) A report of workplace violence made to the hotline under this section shall be referred to the appropriate local or state law enforcement agency for investigation.

(d) The department shall make an audio recording of each call received by the hotline. The department shall retain the recording of the call for at least six months after the date the department received the call.

(e) A report made under this section may be made anonymously.

No equivalent provision.

SECTION 3. Not later than February 1, 2024, the Texas Department of Licensing and Regulation shall establish the workplace violence hotline as required by Section 51.212, Occupations Code, as added by this Act.

Same as House version.

SECTION 2. Not later than March 1, 2024, the Texas Workforce Commission shall adopt rules as required by Section 104A.003, Labor Code, as added by this Act.

SECTION 4. Same as House version.

SECTION 2. Same as House version.

No equivalent provision.

SECTION 5. (a) Notwithstanding any other provision of this Act, in a state fiscal year, a state agency to which this Act applies is not required to implement a provision found in another provision of this Act that is a mandatory provision imposing a duty on the agency to take an action unless money is specifically appropriated to the agency for that fiscal year to carry out that duty. The agency may implement the provision in that fiscal year to the extent other funding is available to the agency to do so.

Same as House version.

House Bill 915
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

(b) If, as authorized by Subsection (a) of this section, a state agency to which this Act applies does not implement a mandatory provision in a state fiscal year, the agency, in its legislative appropriations request for the next state fiscal biennium, shall certify that fact to the Legislative Budget Board and include a written estimate of the cost of implementing the provision in each year of that next state fiscal biennium.

(c) This section expires and any duty suspended by Subsection (a) of this section becomes mandatory on September 1, 2027.

SECTION 3. Effective date.

SECTION 6. Same as House version.

SECTION 3. Same as House version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 27, 2023

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB915 by Craddick (relating to a requirement that employers post notice of certain information regarding reporting instances of workplace violence or suspicious activity.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

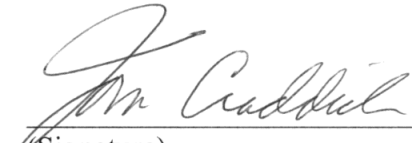
Source Agencies: 320 Texas Workforce Commission, 405 Department of Public Safety, 452 Department of Licensing and Regulation

LBB Staff: JMc, SZ, MOc, KFB, DA, GDZ, BFa

**Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order.

I certify that a copy of the conference committee report on HB 915 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before paper copies of the report were submitted to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.



(Signature)

May 27, 2023

(Date)