

By: Perry, et al.
(Burkett)

S.B. No. 722

A BILL TO BE ENTITLED

AN ACT

relating to a disqualification for unemployment benefits for
refusing to take or failing a preemployment drug test.

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

SECTION 1. Section 207.047, Labor Code, is amended by
adding Subsections (a-1) and (a-2) to read as follows:

(a-1) For purposes of Subsection (a), an individual is
considered to have failed, without good cause, to accept suitable
work offered to the individual by an employer if:

(1) as a condition of employment, the employer
required the individual to submit to a preemployment drug test; and

(2) the individual:

(A) refused, without good cause, to submit to the
drug test; or

(B) failed the drug test, unless the failure was
caused by the use of a substance that was prescribed by a health
care practitioner as medically necessary for the individual.

(a-2) The commission by rule shall specify the
circumstances under which a person is considered to have good cause
for refusing to submit to a drug test under Subsection (a-1).

SECTION 2. Not later than December 1, 2015, the Texas
Workforce Commission shall adopt rules necessary to implement
Section 207.047(a-1), Labor Code, as added by this Act.

SECTION 3. The change in law made by this Act applies only

1 to a claim for unemployment compensation benefits filed with the
2 Texas Workforce Commission on or after December 1, 2015. A claim
3 filed before December 1, 2015, is governed by the law in effect on
4 the date the claim was filed, and the former law is continued in
5 effect for that purpose.

6 SECTION 4. This Act takes effect September 1, 2015.