

CHAPTER 856

H.B. No. 59

AN ACT

relating to placement by a private employment agency of an employee in a school district.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 21.916, Education Code, is amended to read as follows:

Sec. 21.916. USE OF PRIVATE EMPLOYMENT AGENCIES. (a) *A private employment agency may not place an employee in a school district if an owner or operator of the agency is related within the third degree by consanguinity or within the second degree by affinity to a member of the board of trustees of the school district or to an administrator who has authority to make decisions relating to employment practices in the district.*

*(b) A school district cannot contract with a private employment agency as a sole method of employment procurement. [A school district may not list employment opportunities with a private employment agency and may not pay a fee to a private employment agency for the referral of potential employees.*

*[(b) A school district may not employ in any position an applicant who is referred to the district for employment by a private employment agency. Any contract between the*

~~district and an applicant who is referred to the district by a private employment agency is void.~~

~~[(e) In this section, "private employment agency" means a private employment agency subject to Chapter 245, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 5221a-6, Vernon's Texas Civil Statutes).]~~

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 12, 1987, by the following vote: Yeas 114, Nays 26, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 59 on May 27, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 25, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 19, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.