

Additional Summary of Rights for Texas Residents:

The Fair Credit and Reporting Act (FCRA), 15 U.S.C., 1681, *et seq.*, regulates the circumstances under which employers may obtain and use background and investigative reports regarding prospective or existing employees from outside agencies.

In much the same manner as the FCRA, the Texas Business and Commerce Code prohibits an outside agency from furnishing to an employer, and thereby an employer from obtaining, a report that contains medical information about the applicant or employee without the consent of the applicant or employee. TX Business & Commerce Code § 20.05

Texas Business & Commerce Code, Chapter 20, §20.05

Prohibited. (a) Except as provided by Subsection (b), a consumer reporting agency may not furnish a consumer report containing information related to: (4) a record of arrest, indictment, or conviction of a crime in which the date of disposition, release, or parole predates the consumer report by more than seven years. Exception: If the salary of an individual equals or is reasonable expected to equal \$75,000 or more, the 7-year restriction does not apply.