

BILL ANALYSIS

C.S.H.B. 2119
By: Kacal
Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that eligible remarried surviving spouses of first responders killed in the line of duty should be eligible to receive death benefits for life under the workers' compensation system, regardless of when the death occurred. C.S.H.B. 2119 seeks to provide for such eligibility.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2119 amends the Labor Code to make the provision establishing an eligible spouse who remarried as eligible for workers' compensation death benefits for life if the employee was a first responder who suffered death in the course and scope of employment or while providing services as a volunteer applicable regardless of the date on which the death of the first responder occurred.

C.S.H.B. 2119 repeals Section 2, Chapter 1018 (H.B. 1094), Acts of the 84th Legislature, Regular Session, 2015.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2119 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 408.183(b-1), Labor Code, is amended to read as follows:
(b-1) Notwithstanding Subsection (b), an

HOUSE COMMITTEE SUBSTITUTE

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(b-1) Notwithstanding Subsection (b), an

eligible spouse who remarried is eligible for death benefits for life if the employee was a first responder, as defined by Section 504.055, who suffered death in the course and scope of employment or while providing services as a volunteer. This subsection applies regardless of the date on which the death of the first responder occurred or the spouse remarried.

SECTION 2. Section 2, Chapter 1018 (H.B. 1094), Acts of the 84th Legislature, Regular Session, 2015, is repealed.

SECTION 3. A person who becomes eligible to receive benefits as a result of the change in law made by this Act is entitled only to benefits that accrue on or after the effective date of this Act.

No equivalent provision.

SECTION 4. This Act takes effect September 1, 2017.

eligible spouse who remarried is eligible for death benefits for life if the employee was a first responder, as defined by Section 504.055, who suffered death in the course and scope of employment or while providing services as a volunteer. This subsection applies regardless of the date on which the death of the first responder occurred.

SECTION 2. Same as introduced version.

No equivalent provision.

SECTION 3. The change in law made by this Act to Section 408.183, Labor Code, applies only to an eligible spouse who remarries on or after the effective date of this Act. An eligible spouse who remarried before that date is governed by the law as it existed immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 4. Same as introduced version.