

BILL ANALYSIS

Senate Research Center
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S.B. 1072
By: Jackson
Business & Commerce
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DIGEST AND PURPOSE

Currently, Texas law establishes trial de novo as the standard of judicial review for final Texas Workforce Commission decisions. However, case law has established that the review standard is trial de novo based on substantial evidence, leading to inconsistency between unemployment compensation law and payday law. As proposed, S.B. 1072 includes the specification that judicial review is by trial de novo based on the substantial evidence rule.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 212.202(a), Labor Code, to provide that judicial review under this subchapter is by trial de novo based on the substantial evidence rule.

SECTION 2. Effective date: upon passage or September 1, 2003.