

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1094
By: Geren et al. (Elife)
Business & Commerce
5/22/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Workers' Compensation Act entitles eligible spouses to receive death benefits for life or until remarriage, at which point the spouse is entitled to continue to receive 104 weeks of death benefits. Interested parties contend that a survivor of a first responder who paid the ultimate sacrifice in the line of duty should not be penalized for remarrying. C.S.H.B. 1094 seeks to amend the act to address this concern.

C.S.H.B. 1094 amends current law relating to worker's compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.

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 408.183, Labor Code, by adding Subsection (b-1), as follows:

(b-1) Provides that, notwithstanding Subsection (b) (providing that an eligible spouse is entitled to receive death benefits for life or until remarriage), 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 (Expedited Provision of Medical Benefits for Certain Injuries Sustained by First Responder in Course and Scope of Employment), who suffered death in the course and scope of employment or while providing services as a volunteer.

SECTION 2. Provides that the change in law made by this Act to Section 408.183 (Duration of Death Benefits), Labor Code, applies only to a claim for workers' compensation benefits based on a compensable injury that occurs on or after the effective date of this Act. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2015.