

Chapter 1018

H.B. No. 1094

AN ACT

relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.

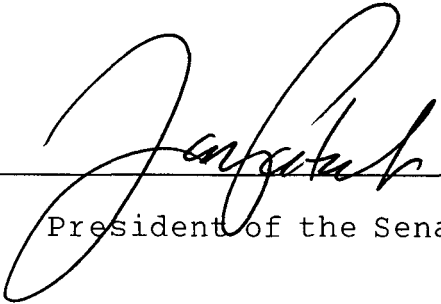
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

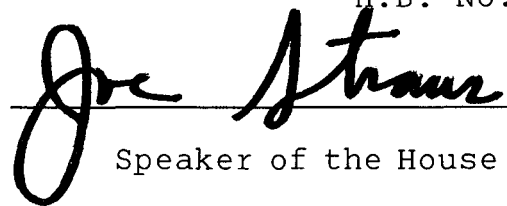
(b-1) Notwithstanding Subsection (b), an eligible spouse who remarried is eligible for death benefits for life if the employee was a first responder, as defined by Section 504.055, who suffered death in the course and scope of employment or while providing services as a volunteer.

SECTION 2. The change in law made by this Act to Section 408.183, 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. A claim based on a compensable injury that occurs before that date is governed by the law as it existed on the date the compensable injury occurred, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2015.

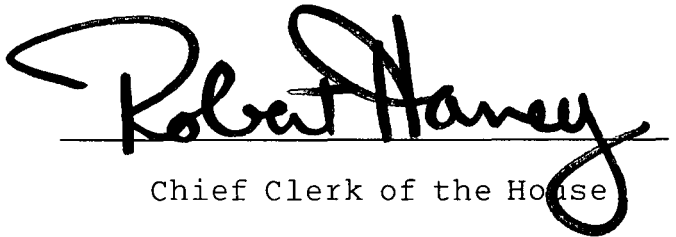


President of the Senate



Speaker of the House

I certify that H.B. No. 1094 was passed by the House on May 4, 2015, by the following vote: Yeas 137, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1094 on May 28, 2015, by the following vote: Yeas 144, Nays 0, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 1094 was passed by the Senate, with amendments, on May 26, 2015, by the following vote: Yeas 30, Nays 1.




Secretary of the Senate

APPROVED: 6-13-2015
Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
6:30 pm O'CLOCK

JUN 19 2015


Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 27, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1094 by Geren (Relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Labor Code relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.

Based on information provided by the Texas Department of Insurance and the Comptroller of Public Accounts, it is assumed that all duties and responsibilities necessary to implement the provisions of the bill could be accomplished within existing staff resources.

Local Government Impact

According to the Texas Association of Counties, no significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 454 Department of Insurance

LBB Staff: UP, SD, CL, ER, KVe, NHe

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 22, 2015

TO: Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1094 by Geren (Relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Labor Code relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.

Based on information provided by the Texas Department of Insurance and the Comptroller of Public Accounts, it is assumed that all duties and responsibilities necessary to implement the provisions of the bill could be accomplished within existing staff resources.

Local Government Impact

According to the Texas Association of Counties, no significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 454 Department of Insurance

LBB Staff: UP, CL, ER, KVe, NHe

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 15, 2015

TO: Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1094 by Geren (Relating to certain death benefits for survivors of certain law enforcement officers, firefighters, and others killed in the line of duty.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1094, As Engrossed: a negative impact of (\$6,686,663) through the biennium ending August 31, 2017.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	(\$3,312,221)
2017	(\$3,374,442)
2018	(\$3,436,664)
2019	(\$3,498,885)
2020	(\$3,561,106)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Savings/(Cost) from <i>Crime Victims Comp Acct</i> 469
2016	(\$3,312,221)	(\$1,500,000)
2017	(\$3,374,442)	(\$1,500,000)
2018	(\$3,436,664)	(\$1,500,000)
2019	(\$3,498,885)	(\$1,500,000)
2020	(\$3,561,106)	(\$1,500,000)

Fiscal Analysis

The bill would amend Government Code relating to certain death benefits for survivors of certain law enforcement officers, firefighters, and others killed in the line of duty.

The bill would take effect September 1, 2015, and would apply to the deaths of certain public servants that occur on or after the effective date.

Methodology

Based on LBB analysis using certain assumptions from ERS, the total cost related to implementing the provisions of the bill would be \$4,812,221 in FY 2016, increasing slightly over time for a total cost of \$24,683,318 in All Funds (\$17,183,318 from General Revenue and \$7,500,000 from the Crime Victims Compensation Account No. 469) over five years.

For the increase of \$250,000 for the lump sum payment, it is assumed that new claims would remain constant at 19 each year (13 out of General Revenue and six out of Crime Victims Compensation Account No. 469), resulting in an increased annual payout of \$4,750,000 in All Funds each fiscal year in the 2016-17 biennium.

For the increase of the payments to guardians, it is assumed that that an additional 18 guardians would be added each year at the new rate, and the number at the old rate will decline by the same number, with the total annual number of claimants remaining constant at 112. Using ERS' blended rate, which increases the ratio of guardians under the new rate by approximately 16.1 percent in each year, the provisions of the bill would increase the annual payments from the estimated current annual payment of \$386,990, by \$62,221 in fiscal year 2016 and by \$124,442 in fiscal year 2017.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 327 Employees Retirement System

LBB Staff: UP, CL, EP, ER, KVe, AG, EMo, KFa, EK

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 16, 2015

TO: Honorable René Oliveira, Chair, House Committee on Business & Industry

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1094 by Geren (Relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Labor Code relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.

Based on information provided by the Texas Department of Insurance and the Comptroller of Public Accounts, it is assumed that all duties and responsibilities necessary to implement the provisions of the bill could be accomplished within existing staff resources.

Local Government Impact

According to the Texas Association of Counties, no significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 454 Department of Insurance

LBB Staff: UP, CL, ER, KVe, NHe