

## **BILL ANALYSIS**

H.B. 1312  
By: King, Phil  
Economic & Small Business Development  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that current law determining unemployment benefits creates confusion regarding the definition of "landman." These parties believe that some ambiguity in interpretation of this definition has resulted in the Texas Workforce Commission challenging the status of independent contractors working as landmen. Reconciliation of the definition between certain provisions of state law could provide consistency and clarity in the application of the term's definition. H.B. 1312 seeks to remedy this situation.

### **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**

H.B. 1312 amends the Labor Code to remove certain conditions from the circumstances under which "employment" under the Texas Unemployment Compensation Act does not include service performed for a private for-profit person by a landman and to instead provide for the definition of "landman" by reference to the Private Security Act.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.