

BILL ANALYSIS

H.B. 2061
By: Oliveira
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the division of workers' compensation of the Texas Department of Insurance sometimes experiences difficulty in reviewing proposed agreed judgments and proposed settlements subject to judicial review for compliance with applicable law due to the inherent opacity of such proposals. H.B. 2061 seeks to assist the division in its mission by requiring a full description of the terms of such proposals to be filed with the division by a party seeking judicial review in certain workers' compensation cases.

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. 2061 amends the Labor Code to require a party seeking judicial review in certain workers' compensation cases, if the terms of a proposed settlement or a proposed agreed judgment, including all payments to be made, are not described in the proposed settlement or proposed agreed judgment, to also file with the Texas Department of Insurance workers' compensation division at the time of filing the proposed settlement or proposed agreed judgment a separate document that fully describes the terms of the proposed settlement or proposed agreed judgment. That separate document is expressly not subject to disclosure under state public information law. The bill includes such a separate document among those required to be mailed to the division by certified mail with return receipt requested and clarifies that the proposed judgment also subject to that requirement is a proposed agreed judgment. The bill replaces the requirement that a party seeking judicial review provide written notice of the suit or notice of appeal to the division simultaneously with certain other actions with a requirement that the party provide a copy of the party's petition to the division simultaneously with the other actions.

EFFECTIVE DATE

September 1, 2017.