

BILL ANALYSIS

H.B. 3676
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Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There are concerns about first responders catastrophically injured in the line of duty and the difficulties they face in recovering from their injuries, taking care of their families, and navigating the complicated workers' compensation system. It has been noted that the federal government oversees and administers the public safety officers' benefits program, which provides certain benefits to survivors of fallen law enforcement officers, firefighters, and other first responders as well as disability benefits to officers catastrophically injured in the line of duty. It has been suggested that a public safety officer catastrophically injured and left permanently and totally disabled may no longer be able to perform gainful work and thus should be provided certain lifetime benefits by the state. H.B. 3676 seeks to address this issue by including a permanent and total disability as determined by the federal government among the injuries for which lifetime income benefits are paid to certain first responders under the Texas Workers' Compensation Act.

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. 3676 amends the Labor Code to include among the injuries for which lifetime income benefits are paid to an employee until the employee's death under the Texas Workers' Compensation Act a permanent and total disability as determined by the Bureau of Justice Assistance of the U.S. Department of Justice under the federal Public Safety Officers' Benefits Act of 1976 if the employee is a first responder and employed by a political subdivision that self-insures, either individually or collectively. The bill changes the type of physically traumatic injury to the brain for which such benefits are paid from such an injury resulting in incurable insanity or imbecility to such an injury resulting in permanent cognitive deficits that render the employee permanently unemployable without significant accommodations or affect the non-vocational quality of the employee's life so as to eliminate the employee's ability to engage in a range of usual cognitive processes. The bill changes the type of third degree burn injury for which such benefits are paid from third degree burns covering the majority of either both hands or one hand and the face to third degree burns covering the majority of both hands, both feet, one hand and one foot, or one hand or foot and the face.

EFFECTIVE DATE

September 1, 2019.