

BILL ANALYSIS

S.B. 2077
By: Paxton
International Relations & Economic Development
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that current law does not provide for redetermination of a preliminary wage determination order if an error is discovered or additional information becomes available before the appeal deadline. There have been suggestions that such a procedure would benefit parties in wage claim disputes because any subsequent proceedings would be based on correct information. S.B. 2077 seeks to provide Texas Workforce Commission examiners the necessary authority for such a redetermination procedure.

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

S.B. 2077 amends the Labor Code to authorize a Texas Workforce Commission examiner who discovers an error in connection with a preliminary wage determination order or discovers additional information not previously available to reconsider and redetermine the order not later than the 21st day after the date the examiner mails the notice of the order. The bill establishes that an examiner's redetermination of a preliminary wage determination order replaces the original order and becomes final unless either party requests a hearing before a wage claim appeal tribunal to appeal the order within that period.

EFFECTIVE DATE

September 1, 2019.