

## **BILL ANALYSIS**

H.B. 1045  
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Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Recent legislation enacted by the 82nd Legislature clarified certain guidelines in the Tim Cole Act, making wrongfully imprisoned individuals eligible to receive the same health benefits afforded to employees of the Texas Department of Criminal Justice. However, these exonerees remain unable to add their spouses or dependents to their plans. There have been calls to provide the exonerees with the opportunity to include their spouse and dependents in their group health benefit plan coverage. H.B. 1045 seeks to address this issue by including the spouse and dependents of a person entitled to compensation for wrongful imprisonment in the group health benefit plan coverage for which the person qualifies.

### **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. 1045 amends the Civil Practice and Remedies Code to authorize the spouse and dependents of a person entitled to compensation for wrongful imprisonment to be included in the group health benefit plan coverage that the person is eligible to obtain through the Texas Department of Criminal Justice (TDCJ) as if the person were a TDCJ employee. The bill authorizes a person who obtained such coverage before the bill's effective date to elect to include the person's spouse and dependents in that coverage. The bill requires such an election to be made not later than March 1, 2022, or during any subsequent open enrollment period applicable to TDCJ employees.

### **EFFECTIVE DATE**

September 1, 2021.