

BILL ANALYSIS

Senate Research Center
77R14535 PB-D

C.S.H.B. 1103
By: Yarbrough (Carona)
Business & Commerce
5/1/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Current law authorizes a notice of assessment to be used as a method of debt collection under the Texas Unemployment Compensation Act. As a result of the 1993 recodification of the Labor Code, not all sections of the code reflect consistent language. C.S.H.B.1103 specifies that the Texas Workforce Commission is authorized to bring an action against a successor employer for the collection of a contribution, a penalty, or interest incurred by a predecessor employer. C.S.H.B. 1103 also provides for additional interest on a judgment or final assessment for past due contributions.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 204.001, Labor Code, as follows:

Sec. 204.001. DEFINITION. Redefines "manual."

SECTION 2. Amends Section 204.086(b), Labor Code, to authorize the Texas Workforce Commission (commission) to bring an action under Chapter 213 for the collection of a contribution, a penalty, or interest as though the contribution, penalty, or interest had been incurred by the successor employer. Makes a nonsubstantive change.

SECTION 3. Amends Section 213.025, Labor Code, as follows:

Sec. 213.025. New heading: ADDITIONAL INTEREST ON JUDGMENT OR FINAL ASSESSMENT FOR PAST DUE CONTRIBUTION. Provides that for a judgment or final assessment that grants recovery of the amount of a contribution and the amount of interest computed at the maximum rate permitted under Section 213.021(a), the part of the judgment or final assessment for the amount of the contribution earns additional interest at the rate of one percent for each month or part of a month it remains unpaid.

SECTION 4. Amends Section 213.032(e), Labor Code, to provide that an assessment described by this subsection is a final assessment.

SECTION 5. Amends Sections 213.033(b) and (c), Labor Code, to provide that certain actions, rather than proceedings, suspend the running of the limitations period prescribed under Subsection (a).

SECTION 6. Amends Section 213.051(a), Labor Code, to make a conforming change.

SECTION 7. (a) Effective date: September 1, 2001.

(b) Makes application of the amendments Sections 213.025 and 213.051, Labor Code, prospective.

(c) Makes application of Section 204.001, Labor Code, as amended, prospective.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Amends As Filed S.B. 1103 by adding new proposed Section 204.001, Labor Code.
(DEFINITION)

SECTION 2. Renumbers previously proposed SECTION 1 as SECTION 2.

Adds SECTIONS 3 through 6.

SECTION 7. New effective date and prospective clause.