

BILL ANALYSIS

Senate Research Center
78R3149 PB-D

H.B. 1820
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Business & Commerce
4/17/2003
Engrossed

DIGEST AND PURPOSE

H2-A visas permit immigrants to work in agriculture in the United States. Under federal law, these workers are required to return to their native country at the completion of their work and are not eligible for Unemployment Insurance benefits. Currently, Texas law requires employers to report these workers wages and pay unemployment taxes on those wages. H.B. 1820 exempts work performed by a worker with a H2-A visa from the term "employment."

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 201, Labor Code, by adding Section 201.078, as follows:

Sec. 201.078. SERVICE BY NONRESIDENT ALIEN AGRICULTURAL WORKER. Provides that "employment" does not include service performed by a nonresident alien during the period that the alien is temporarily in the United States under an H2-A visa if the service is not defined as employment under the Federal Unemployment Tax Act (26 U.S.C. Section 3306(c)(19)).

SECTION 2. Effective date: September 1, 2003.
Makes application of this Act prospective.