

BILL ANALYSIS

Senate Research Center
86R5853 JSC-F

H.B. 1665
By: Patterson (Paxton)
Administration
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As a recommendation from the Division of Workers' Compensation's (DWC) Biennial Report to the 86th Legislature, H.B. 1665 amends Section 406.145 (f), Labor Code, to remove the requirement for hiring contractors to file the DWC Form-86, Exceptin to Application of Joint Agreement for Certain Buildings and Construction Workers, with DWC. This form will continue to be sent to the hiring contractor's insurance carrier and will be available to DWC, if repealed.

H.B. 1665 aims to eliminate an unnecessary reporting requirements to DWC. DWC accepts and stores the DWC Form-84 but does not use it to make decisions or prove claims. Eliminating this reporting requirement will help clarify DWC's statutory responsibilities and allow system stakeholders and DWC to reallocate resources to more meaningful obligations.

H.B. 1665 amends current law relating to certain workers' compensation reporting requirements.

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 Section 406.145(f), Labor Code, as follows:

(f) Requires the hiring contractor and independent contractor who enter into a certain joint agreement, if a subsequent hiring agreement is made to which the joint agreement does not apply, to notify in writing:

(1) the hiring contractor's workers' compensation insurance carrier, rather than the division of workers' compensation of the Texas Department of Insurance (division) and the hiring contractor's workers' compensation insurance carrier; and

(2) the division, on the division's request. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2019.