

BILL ANALYSIS

Senate Research Center
87R21709 JSC-D

C.S.S.B. 1801
By: Zaffirini
Natural Resources & Economic Development
4/22/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill is intended to modernize the Texas Workforce Commission's (TWC) capacity to receive the repayment of unemployment benefits issued in error. At present, TWC only accepts repayment via mailed checks and money orders. C.S.S.B. 1801 amends Section 212.006, Labor Code, to require TWC also to accept additional payment methods such as cashier's check, debit card, electronic check, and electronic funds transfer. This bill also would mandate that TWC accept these forms of payment via telephone, internet, and mail service.

C.S.S.B. 1801 amends current law relating to improper unemployment compensation benefits refunded by a claimant to the Texas Workforce Commission.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Workforce Commission in SECTION 1 (Section 212.006, Labor Code) and SECTION 2 (Section 214.002, Labor Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 212.006, Labor Code, by adding Subsection (c), as follows:

(c) Requires the Texas Workforce Commission (TWC) to accept payment for benefits refunded by a claimant under Subsection (a)(1) (relating to the requirement that benefits paid to a claimant not in accordance with the final decision be refunded to TWC) by personal check, cashier's check, money order, debit card, electronic check, or electronic funds transfer. Requires TWC to accept payment through the mail and by Internet, as applicable. Authorizes TWC to adopt rules to accept forms of payment not listed in this subsection.

SECTION 2. Amends Section 214.002, Labor Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Authorizes TWC to recover improper benefits by:

- (1) makes a nonsubstantive change to this subdivision;
- (2) collecting a refund from a claimant; or
- (3) creates this subdivision from existing text and makes no further changes.

(c) Requires TWC to accept payment for benefits refunded by a claimant under Subsection (a)(2) by personal check, cashier's check, money order, debit card, electronic check, or electronic funds transfer. Requires TWC to accept payment through the mail and by Internet, as applicable. Authorizes TWC to adopt rules to accept forms of payment not listed in this subsection.

SECTION 3. Provides that Sections 212.006(c) and 214.002(c), Labor Code, as added by this Act, apply to improper unemployment compensation benefits refunded by a claimant to TWC on or after the effective date of this Act.

SECTION 4. Provides that Section 214.002(a), Labor Code, as amended by this Act, applies only to improper benefits obtained on or after the effective date of this Act.

SECTION 5. Effective date: September 1, 2021.