

By: Uresti

H.B. No. 62

A BILL TO BE ENTITLED

AN ACT

relating to coverage for certain school district employees under large and small health benefit plans.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 26, Insurance Code, is amended by adding Article 26.0365 to read as follows:

Art. 26.0365. SCHOOL DISTRICT EMPLOYEE ELECTION. (a)
Notwithstanding any other provision of this chapter, a school district employee who is eligible for coverage under a large or small employer health benefit plan providing coverage to the school district's employees and who is the spouse of another school district employee covered under the plan may elect whether to be treated under the plan as:

(1) an employee; or

(2) the dependent of the other employee.

(b) The commissioner shall adopt rules under Article 26.04 of this code governing the manner in which an election under this article must be made.

(c) This article expires April 1, 2005.

SECTION 2. Subchapter A, Chapter 1501, Insurance Code, as effective April 1, 2005, is amended by adding Section 1501.0095 to read as follows:

Sec. 1501.0095. SCHOOL DISTRICT EMPLOYEE ELECTION. (a)
Notwithstanding any other provision of this chapter, a school

1 district employee who is eligible for coverage under a large or
2 small employer health benefit plan providing coverage to the school
3 district's employees and who is the spouse of another school
4 district employee covered under the plan may elect whether to be
5 treated under the plan as:

6 (1) an employee; or

7 (2) the dependent of the other employee.

8 (b) The commissioner shall adopt rules under Section
9 1501.010 governing the manner in which an election under this
10 section must be made.

11 SECTION 3. The change in law made by this Act applies
12 beginning with the 2004-2005 school year.

13 SECTION 4. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect on the 91st day after the last day of the
18 legislative session.