

BILL ANALYSIS

S.B. 1072
By: Jackson
Economic Development
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Texas law establishes trial de novo as the standard of judicial review for final Texas Workforce Commission decisions. However, case law has established that the review standard is trial de novo based on substantial evidence, leading to inconsistency between unemployment compensation law and payday law. SB 1072 specifies that judicial review is by trial de novo based on the substantial evidence rule.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SB 1072 amends the Labor Code to specify that judicial review is by trial de novo based on the substantial evidence rule.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.