

By: Estes

S.B. No. 675

A BILL TO BE ENTITLED

AN ACT

relating to status as an employer under a workers' compensation insurance policy or certificate of authority to self-insure.

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

SECTION 1. Section 408.001(a), Labor Code, is amended to read as follows:

(a) Recovery of workers' compensation benefits is the exclusive remedy of an employee covered by workers' compensation insurance coverage or a legal beneficiary for the death of, or a work-related injury sustained by, the employee against:

(1) the employer;

(2) a parent corporation of the employer, a subsidiary corporation of the employer, or any other subsidiary of the parent corporation of the employer, that:

(A) is a named insured on the employer's policy of workers' compensation insurance; or

(B) is covered by a certificate of authority to self-insure issued by the commission under Chapter 407; or

(3) an agent or employee of a person described by Subdivision (1) or (2) of this subsection [~~the employer for the death of or a work-related injury sustained by the employee~~].

SECTION 2. This Act takes effect September 1, 2003, and applies only to a claim for workers' compensation benefits based on a compensable injury that occurs on or after that date. A claim

1 based on a compensable injury that occurs before that date is
2 governed by the law in effect on the date that the compensable
3 injury occurred, and the former law is continued in effect for that
4 purpose.