

1-1 By: Estes S.B. No. 675
1-2 (In the Senate - Filed February 24, 2003; February 27, 2003,
1-3 read first time and referred to Committee on State Affairs;
1-4 April 24, 2003, rereferred to Committee on Business and Commerce;
1-5 May 12, 2003, reported favorably by the following vote: Yeas 6,
1-6 Nays 2; May 12, 2003, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to status as an employer under a workers' compensation
1-10 insurance policy or certificate of authority to self-insure.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subsection (a), Section 408.001, Labor Code, is
1-13 amended to read as follows:

1-14 (a) Recovery of workers' compensation benefits is the
1-15 exclusive remedy of an employee covered by workers' compensation
1-16 insurance coverage or a legal beneficiary for the death of, or a
1-17 work-related injury sustained by, the employee against:

1-18 (1) the employer;

1-19 (2) a parent corporation of the employer, a subsidiary
1-20 corporation of the employer, or any other subsidiary of the parent
1-21 corporation of the employer, that:

1-22 (A) is a named insured on the employer's policy
1-23 of workers' compensation insurance; or

1-24 (B) is covered by a certificate of authority to
1-25 self-insure issued by the commission under Chapter 407; or

1-26 (3) an agent or employee of a person described by
1-27 Subdivision (1) or (2) [~~the employer for the death of or a~~
1-28 ~~work-related injury sustained by the employee].~~

1-29 SECTION 2. This Act takes effect September 1, 2003, and
1-30 applies only to a claim for workers' compensation benefits based on
1-31 a compensable injury that occurs on or after that date. A claim
1-32 based on a compensable injury that occurs before that date is
1-33 governed by the law in effect on the date that the compensable
1-34 injury occurred, and the former law is continued in effect for that
1-35 purpose.

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