

AN ACT

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

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

SECTION 1. 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 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 Section 1501.010 governing the manner in which an election under this section must be made.

SECTION 2. The change in law made by this Act applies beginning with the 2005-2006 school year.

SECTION 3. This Act takes effect April 1, 2005, if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution.

H.B. No. 407

1 If this Act does not receive the vote necessary for effect on that
2 date, this Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 407 was passed by the House on May 13, 2005, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 407 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor