

1-1 By: Hochberg (Senate Sponsor - Zaffirini) H.B. No. 481
1-2 (In the Senate - Received from the House April 28, 2005;
1-3 April 29, 2005, read first time and referred to Committee on
1-4 Business and Commerce; May 16, 2005, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 6,
1-6 Nays 0; May 16, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 481 By: Lucio

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the eligibility for unemployment benefits of certain
1-11 persons with disabilities.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter B, Chapter 207, Labor Code, is
1-14 amended by adding Section 207.0211 to read as follows:

1-15 Sec. 207.0211. ELIGIBILITY OF CERTAIN DISABLED PERSONS. A
1-16 permanently disabled individual is considered to be able to work
1-17 under Section 207.021(a)(3) and available for work for purposes of
1-18 Section 207.021(a)(4) if, as a result of the individual's
1-19 disability, the individual:

1-20 (1) is unable to work full-time;

1-21 (2) has worked part-time during a substantial part of
1-22 the individual's base period;

1-23 (3) is seeking part-time work consistent with the
1-24 limitations imposed by the individual's disability; and

1-25 (4) is receiving disability insurance benefits under
1-26 42 U.S.C. Section 423.

1-27 SECTION 2. Section 204.022, Labor Code, is amended by
1-28 adding Subsection (f) to read as follows:

1-29 (f) Benefits may not be charged to the account of an
1-30 employer based on wage credits earned by an employee who is eligible
1-31 for benefits under Section 207.0211.

1-32 SECTION 3. The change in law made by this Act applies only
1-33 to a claim for unemployment compensation benefits that is filed
1-34 with the Texas Workforce Commission on or after the effective date
1-35 of this Act. A claim filed before that date is governed by the law
1-36 in effect on the date the claim was filed, and the former law is
1-37 continued in effect for that purpose.

1-38 SECTION 4. This Act takes effect immediately if it receives
1-39 a vote of two-thirds of all the members elected to each house, as
1-40 provided by Section 39, Article III, Texas Constitution. If this
1-41 Act does not receive the vote necessary for immediate effect, this
1-42 Act takes effect September 1, 2005.

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