

By: Villarreal, Leibowitz

H.B. No. 1772

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a report to the legislature by the division of workers'  
3 compensation of the Texas Department of Insurance of certain  
4 information regarding employers and certain insurance companies.

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

6 SECTION 1. Subchapter D, Chapter 402, Labor Code, is  
7 amended by adding Section 402.0666 to read as follows:

8 Sec. 402.0666. REPORT TO LEGISLATURE REGARDING CERTAIN  
9 EMPLOYERS AND INSURANCE COMPANIES. (a) Not later than December 31  
10 of each even-numbered year, the division shall report to the  
11 legislature any information collected by the division regarding:

12 (1) the compliance of employers with any notice  
13 requirements imposed by Subchapter A, Chapter 406;

14 (2) any administrative penalties assessed under this  
15 subtitle or rules adopted under this subtitle against employers  
16 described by Subdivision (1) for failure to comply with the notice  
17 requirements;

18 (3) the compliance of employers with the reporting  
19 requirements of Section 411.032;

20 (4) any administrative penalties assessed under  
21 Section 411.032 against an employer described by Subdivision (3)  
22 for failure to comply with the reporting requirements;

23 (5) the compliance of insurance companies from which  
24 employers have obtained workers' compensation insurance coverage

1 with the notice requirement imposed by Section 406.006; and

2 (6) any administrative penalties assessed under  
3 Section 406.006 against insurance companies from which employers  
4 have obtained workers' compensation insurance coverage for failure  
5 to comply with the reporting requirement.

6 (b) The division may make the report required under  
7 Subsection (a) as part of the department's annual report under  
8 Section 32.021, Insurance Code, or as a separate report.

9 (c) The information required to be included in the report  
10 under Subsection (a) regarding employers must be disaggregated by  
11 those employers who obtain or otherwise provide workers'  
12 compensation insurance and those employers who do not obtain or  
13 otherwise provide workers' compensation insurance.

14 (d) To ensure the objectivity of the information contained  
15 in the report required by this section, the information must be  
16 presented in an accurate, clear, and complete manner considering  
17 both the presentation and substance of the information, taking into  
18 account any variable that may affect whether an employer elects to  
19 obtain or otherwise provide workers' compensation insurance.

20 SECTION 2. The division of workers' compensation shall  
21 submit the initial report required by Section 402.0666, Labor Code,  
22 as added by this Act, not later than December 31, 2008.

23 SECTION 3. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2007.