

By: Villarreal

H.B. No. 1772

A BILL TO BE ENTITLED

1 AN ACT

2 relating to reporting requirements for employers not covered by  
3 workers' compensation insurance; providing administrative  
4 penalties.

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

6 SECTION 1. Section 406.004(e), Labor Code, is amended to  
7 read as follows:

8 (e) An employer commits a Class D [~~an~~] administrative  
9 violation if the employer fails to comply with this section.

10 SECTION 2. Subchapter A, Chapter 406, Labor Code, is  
11 amended by adding Section 406.0045 to read as follows:

12 Sec. 406.0045. EMPLOYER REPORT TO DIVISION. (a) Each  
13 calendar year, an employer who does not obtain or otherwise provide  
14 workers' compensation insurance coverage shall report to the  
15 division each work-related injury sustained by an employee of the  
16 employer during the preceding year that:

17 (1) resulted in:

18 (A) the employee being absent from one or more  
19 days of work;

20 (B) a modification of the employee's work  
21 assignment; or

22 (C) a medical diagnosis of a significant  
23 occupational injury or disease; or

24 (2) required medical treatment beyond first aid.

1        (b) The employer shall report to the division regarding each  
2 injury required to be reported under Subsection (a):

3                (1) the total cost of medical treatment;

4                (2) the portion of the cost of medical treatment paid  
5 for or provided by the employer;

6                (3) the number of days the employee was absent from  
7 work;

8                (4) the amount of any salary replacement paid by the  
9 employer; and

10               (5) the amount of any other settlement paid by the  
11 employer.

12        (c) The commissioner shall:

13               (1) adopt rules for the administration of this  
14 section; and

15               (2) prescribe forms to be used for the report required  
16 under this section.

17        (d) An employer commits a Class D administrative violation  
18 if the employer fails to comply with this section.

19        SECTION 3. Section 406.007, Labor Code, is amended by  
20 adding Subsection (e) to read as follows:

21        (e) An employer commits a Class D administrative violation  
22 if the employer fails to comply with this section.

23        SECTION 4. The commissioner of workers' compensation of the  
24 Texas Department of Insurance shall adopt rules and prescribe forms  
25 required by Section 406.0045, Labor Code, as added by this Act, as  
26 soon as practicable after the effective date of this Act.

27        SECTION 5. This Act takes effect September 1, 2007.