

By: Leibowitz

H.B. No. 2423

A BILL TO BE ENTITLED

AN ACT

relating to certain requirements for employers not covered by workers' compensation insurance.

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

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

(a) An employer who does not obtain workers' compensation insurance coverage shall:

(1) notify the division in writing, in the time and as prescribed by commissioner rule, that the employer elects not to obtain coverage; and

(2) provide to the division in conjunction with the notification required by Subdivision (1) and in accordance with rules prescribed by the commissioner:

(A) data relating to each work-related injury sustained by an employee of the employer and any related benefits paid to the employee by the employer; and

(B) certification that the employer will not, before the 10th day after the date of the accrual of an employee's cause of action against the employer to recover damages for personal injury or death sustained by the employee in the course and scope of the employee's employment, enter into a contract with the employee that affects a procedural or substantive right of the employee to recover damages in that action.

1 SECTION 2. The commissioner of workers' compensation of the
2 Texas Department of Insurance shall adopt rules under Section
3 406.004(a), Labor Code, as amended by this Act, as soon as
4 practicable after the effective date of this Act.

5 SECTION 3. This Act takes effect September 1, 2007.