

BILL ANALYSIS

C.S.H.B. 3960
By: McReynolds
Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Emergency responders often arrive at the scene of an emergency in their own vehicles, rather than in emergency vehicles, in order to respond as quickly as possible to the situation. Currently, a responder travelling to an emergency in the responder's own vehicle is not always covered by workers' compensation because the travel is in the responder's personal vehicle.

C.S.H.B. 3960 specifies that emergency responders are covered by workers' compensation insurance when travelling directly to or directly from an emergency scene, regardless of whether they are traveling to the emergency in their own vehicle or in an emergency vehicle.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3960 amends the Labor Code to specify that the term "course and scope of employment" for the purposes of the Texas Workers' Compensation Act includes transportation to and from the place of employment by an employee or volunteer if the travel is by an employee or volunteer member of an emergency service organization who, after receiving notification of an emergency incident requiring the employee's or volunteer member's presence, is traveling in any vehicle directly to or directly from the incident scene.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3960 differs from the original by specifying that an emergency service organization to which the substitute's provisions apply is as defined by Texas workers' compensation laws.

C.S.H.B. 3960 differs from the original by making its provisions applicable to an employee or volunteer member of an emergency service organization traveling in any vehicle directly to or directly from an emergency incident scene, whereas the original refers to an employee or volunteer member travelling in any vehicle and only directly responding to or directly returning from the emergency call to duty.

C.S.H.B. 3960 adds standard savings and prospective clauses not in the original.

C.S.H.B. 3960 differs from the original by making its provisions effective September 1, 2009, whereas the original provides for an immediate effect contingent on the bill's receiving the necessary two-thirds vote in each house or September 1, 2009.