

By: Giddings

H.B. No. 2544

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the payment of attorneys' fee liens in certain workers'  
3 compensation benefit matters.

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

5 SECTION 1. Section 408.203, Labor Code, is amended by  
6 amending Subsection (a), part (1) to read as follows:

7 (1) an attorney's fee for representing an employee or  
8 legal beneficiary in a matter arising under this subtitle, payment  
9 of which shall be made in equal shares to each attorney with an  
10 outstanding lien;

11 SECTION 2. Section 408.221, Labor Code, is amended by  
12 amending Subsection (i) to read as follows:

13 (i) Except as provided by Subsection (c) or Section  
14 408.147(c), ~~an~~ all attorney's fee may not exceed 25 percent of the  
15 claimant's recovery.

16 SECTION 3. This Act takes effect September 1, 2009, and  
17 applies only to legal fees for a claim for workers' compensation  
18 benefits based on a compensable injury that occurs on or after that  
19 date. Legal fees for a claim based on a compensable injury that  
20 occurs before that date are governed by the law in effect on the  
21 date that the compensable injury occurred, and the former law is  
22 continued in effect for that purpose.