

By: Nichols

S.B. No. 741

A BILL TO BE ENTITLED

1 AN ACT
2 relating to jurisdiction over a wage claim filed after the
3 deadline.

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

5 SECTION 1. Subsection (c), Section 61.051, Labor Code, is
6 amended to read as follows:

7 (c) A wage claim must be filed not later than the 180th day
8 after the date the wages claimed became due for payment. The
9 180-day deadline is a matter of jurisdiction.

10 SECTION 2. Section 61.052, Labor Code, is amended by adding
11 Subsection (b-1) to read as follows:

12 (b-1) If a wage claim is filed later than the date described
13 by Section 61.051(c), the examiner shall dismiss the wage claim for
14 lack of jurisdiction.

15 SECTION 3. The change in law made by this Act applies only
16 to a wage claim filed with the Texas Workforce Commission on or
17 after the effective date of this Act. A wage claim filed before the
18 effective date of this Act is governed by the law in effect on the
19 date the wage claim was filed, and the former law is continued in
20 effect for that purpose.

21 SECTION 4. This Act takes effect September 1, 2009.