

1-1 By: Watson S.B. No. 762
1-2 (In the Senate - Filed February 10, 2009; March 4, 2009,
1-3 read first time and referred to Committee on State Affairs;
1-4 March 26, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 26, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 762 By: Lucio

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to a study concerning the minimum participation
1-11 requirement for small employer health benefit plans.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. DEFINITION. In this Act, "department" means the
1-14 Texas Department of Insurance.

1-15 SECTION 2. STUDY. (a) The department shall conduct a
1-16 study concerning the minimum participation requirement for small
1-17 employer health benefit plans under Section 1501.154, Insurance
1-18 Code.

1-19 (b) The study must include:

1-20 (1) an evaluation of the effectiveness of a minimum
1-21 collective employee participation level of 60 percent; and

1-22 (2) a comparison of the effectiveness of the current
1-23 minimum collective employee participation level of 75 percent to a
1-24 minimum collective employee participation level of between 60 and
1-25 75 percent.

1-26 SECTION 3. REPORT TO LEGISLATURE. The department shall
1-27 include a report of the results of the study conducted under this
1-28 Act in the biennial report to the 82nd Legislature made under
1-29 Section 32.022, Insurance Code. The report must describe the
1-30 results of the study conducted under this Act and may contain:

1-31 (1) a recommendation concerning whether the minimum
1-32 collective employee participation level should be reduced from 75
1-33 percent to 60 percent; and

1-34 (2) the reasons for the recommendation described by
1-35 Subdivision (1) of this section.

1-36 SECTION 4. EFFECTIVE DATE. This Act takes effect
1-37 immediately if it receives a vote of two-thirds of all the members
1-38 elected to each house, as provided by Section 39, Article III, Texas
1-39 Constitution. If this Act does not receive the vote necessary for
1-40 immediate effect, this Act takes effect September 1, 2009.

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