

1-1 By: Seliger S.B. No. 809  
1-2 (In the Senate - Filed February 21, 2011; March 1, 2011,  
1-3 read first time and referred to Committee on State Affairs;  
1-4 March 15, 2011, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 15, 2011,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 809 By: Jackson

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

1-10 relating to judicial review in district court of certain workers'  
1-11 compensation disputes.

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

1-13 SECTION 1. Subsection (d), Section 410.252, Labor Code, is  
1-14 amended to read as follows:

1-15 (d) If a suit is initially filed within the 45-day [~~40-day~~]  
1-16 period in Subsection (a), and is transferred under Subsection (c),  
1-17 the suit is considered to be timely filed in the court to which it is  
1-18 transferred.

1-19 SECTION 2. Subsection (d), Section 413.0311, Labor Code, is  
1-20 amended to read as follows:

1-21 (d) A party who has exhausted all administrative remedies  
1-22 under Section 413.031 and this section and who is aggrieved by a  
1-23 final decision of the hearings officer under Subsection (c) may  
1-24 seek judicial review of the decision. Judicial review under this  
1-25 subsection shall be conducted in the manner provided for judicial  
1-26 review of a contested case under Subchapter G, Chapter 2001,  
1-27 Government Code, except that the party seeking judicial review  
1-28 under this section must file suit not later than the 45th day after  
1-29 the date on which the division mailed the party the decision of the  
1-30 hearings officer. For purposes of this subsection, the mailing  
1-31 date is considered to be the fifth day after the date the decision  
1-32 of the hearings officer was filed with the division

1-33 SECTION 3. The change in law made by this Act applies only  
1-34 to a suit for judicial review filed on or after the effective date  
1-35 of this Act. A suit for judicial review filed before the effective  
1-36 date of this Act is covered by the law as it existed on the date the  
1-37 suit was filed, and the former law is continued in effect for that  
1-38 purpose.

1-39 SECTION 4. This Act takes effect September 1, 2011.

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