

By: Rodriguez

S.B. No. 1194

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the amount of temporary income benefits to which an
3 injured employee is entitled under the workers' compensation
4 system.

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

6 SECTION 1. Section 408.103(a), Labor Code, is amended to
7 read as follows:

8 (a) Subject to Sections 408.061 and 408.062, the amount of a
9 temporary income benefit is equal to:

10 (1) 70 percent of the amount computed by subtracting
11 the employee's weekly earnings after the injury from the employee's
12 average weekly wage; or

13 (2) for the first 26 weeks, 75 percent of the amount
14 computed by subtracting the employee's weekly earnings after the
15 injury from the employee's average weekly wage if the employee
16 earns less than \$14 [~~\$8.50~~] an hour.

17 SECTION 2. The change in law made by this Act applies to a
18 claim for temporary income benefits based on a compensable injury
19 that occurs on or after the effective date of this Act. A claim
20 based on a compensable injury that occurs before the effective date
21 of this Act is governed by the law in effect on the date the
22 compensable injury occurred, and the former law is continued in
23 effect for that purpose.

24 SECTION 3. This Act takes effect September 1, 2011.