

By: Martinez

H.B. No. 1091

A BILL TO BE ENTITLED

AN ACT

relating to firefighters and emergency medical technicians who bring certain claims for benefits or compensation.

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

SECTION 1. Section 607.052(a), Government Code, is amended to read as follows:

(a) Notwithstanding any other law, this subchapter applies only to a firefighter or emergency medical technician who:

(1) on becoming employed, ~~or~~ during employment, or on leaving employment as a firefighter or emergency medical technician, received a physical examination that failed to reveal evidence of the illness or disease for which benefits or compensation are sought using a presumption established by this subchapter;

(2) is employed for five or more years as a firefighter or emergency medical technician; and

(3) seeks benefits or compensation for a disease or illness covered by this subchapter that is discovered during employment as a firefighter or emergency medical technician or not later than the fifth anniversary of the last date of employment as a firefighter or emergency medical technician.

SECTION 2. Section 607.052(a), Government Code, as amended by this Act, applies only to a firefighter or emergency medical technician who brings a claim for benefits or compensation on or

1 after the effective date of this Act. A firefighter or emergency
2 medical technician who brings a claim for benefits or compensation
3 before the effective date of this Act is governed by the law in
4 effect on the date the claim is made, and the former law is
5 continued in effect for that purpose.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2013.