

By: J. Davis of Harris

H.B. No. 2015

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the proper classification of workers performing
3 services under certain governmental contracts; providing a
4 penalty.

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

6 SECTION 1. Chapter 214, Labor Code, is amended by adding
7 Section 214.0021 to read as follows:

8 Sec. 214.0021. MISCLASSIFICATION OF CERTAIN WORKERS;
9 PENALTY. (a) The commission shall adopt rules establishing
10 criteria for the proper classification, as either an employee or
11 independent contractor, of an individual who provides services
12 under a contract with a governmental entity that is entered into
13 under Chapter 2252, Government Code.

14 (b) A person who improperly classifies an individual in
15 violation of rules adopted under Subsection (a) shall pay to the
16 commission a penalty equal to \$200 for each individual who is not
17 properly classified.

18 (c) The commission may not take action to collect a penalty
19 under this section from a person after the third anniversary of the
20 date on which the violation occurred.

21 SECTION 2. Not later than December 1, 2013, the Texas
22 Workforce Commission shall adopt rules as required by Section
23 214.0021, Labor Code, as added by this Act.

24 SECTION 3. (a) Except as provided by Subsection (b) of this

1 section, this Act takes effect September 1, 2013.

2 (b) Section 214.0021, Labor Code, as added by this Act,
3 takes effect January 1, 2014.