

By: Patrick

S.B. No. 1213

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of temporary election officers for unemployment compensation.

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

SECTION 1. Section 201.063(a), Labor Code, is amended to read as follows:

(a) In this subtitle, "employment" does not include:

(1) service in the employ of a political subdivision or of an instrumentality of a political subdivision that is wholly owned by one or more political subdivisions:

(A) as an elected official;

(B) as a member of a legislative body;

(C) as a member of the judiciary;

(D) as a temporary employee in case of fire, storm, snow, earthquake, flood, or similar emergency; ~~or~~

(E) in a position that is designated under law as a major nontenured policy-making or advisory position or a policy-making or advisory position that ordinarily does not require more than eight hours of service each week; or

(F) as a temporary election worker, officer, or official in conducting an election in the political subdivision;

(2) service in the employ of a foreign government, including service as a consular or other officer or employee or as a nondiplomatic representative;

1 (3) service in the employ of an instrumentality wholly
2 owned by a foreign government if:

3 (A) the service is similar to service performed
4 in a foreign country by an employee of the United States government
5 or an instrumentality of that government; and

6 (B) the United States secretary of state has
7 certified to the United States secretary of the treasury that the
8 foreign government grants an equivalent exemption for similar
9 services performed in the foreign country by an employee of the
10 United States government or an instrumentality of the United States
11 government;

12 (4) service in the employ of the United States
13 government or an instrumentality of the United States exempt under
14 the United States Constitution from the contributions imposed by
15 this subtitle; or

16 (5) service described by Subdivisions (1)-(3)
17 performed in the employ of an Indian tribe.

18 SECTION 2. The change in law made by this Act applies only
19 to a claim for unemployment compensation benefits that is filed
20 with the Texas Workforce Commission on or after the effective date
21 of this Act. A claim filed before the effective date of this Act is
22 governed by the law in effect on the date the claim was filed, and
23 the former law is continued in effect for that purpose.

24 SECTION 3. This Act takes effect September 1, 2013.