

By: Ellis

S.B. No. 1290

A BILL TO BE ENTITLED

AN ACT

relating to group health benefits coverage for dependents and family members of persons wrongfully imprisoned.

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

SECTION 1. Section 103.001(d), Civil Practice and Remedies Code, is amended to read as follows:

(d) Subject to this section, a person entitled to compensation under Subsection (a), or the person's spouse or other dependent or family member, is ~~[also]~~ eligible to obtain group health benefit plan coverage through the Texas Department of Criminal Justice as if the person were an employee of the department, or the spouse or other dependent or family member of an employee, as applicable. ~~[This subsection does not entitle the person's spouse or other dependent or family member to group health benefit plan coverage.]~~ Coverage may be obtained under this subsection for a period of time equal to the total period the claimant served for the crime for which the claimant was wrongfully imprisoned, including any period during which the claimant was released on parole or to mandatory supervision or required to register under Chapter 62, Code of Criminal Procedure. A person who elects to obtain coverage under this subsection shall pay a monthly contribution equal to the total amount of the monthly contributions for that coverage for an employee of the department, or the spouse or other dependent or family member of an employee, as applicable.

SECTION 2. Section 1551.115, Insurance Code, is amended to read as follows:

Sec. 1551.115. PARTICIPATION BY WRONGFULLY IMPRISONED PERSONS. Subject to Section 103.001, Civil Practice and Remedies Code, a person who is entitled to compensation under Chapter 103, Civil Practice and Remedies Code, is eligible to obtain health benefit plan coverage under the group benefits program in the manner and to the extent that an employee of the Texas Department of Criminal Justice would be entitled to coverage, including coverage for ~~[except that this section does not entitle]~~ the person's spouse or other dependent or family member ~~[to coverage]~~.

SECTION 3. The change in law made by this Act applies to a person the comptroller of public accounts has determined to be eligible for compensation as provided by Section 103.051(b), Civil Practice and Remedies Code, regardless of whether the eligibility determination is made before, on, or after the effective date of this Act.

SECTION 4. This Act takes effect September 1, 2013.