



842236

15 NOV 24 PM 11:00

FLOOR AMENDMENT NO. HOUSE OF REPRESENTATIVES

BY:

On 3rd Reading

1 Amend S.B. No. 2087 by adding the following appropriately
2 numbered SECTIONS to the bill and renumbering the SECTIONS of the
3 bill accordingly:

4 SECTION _____. Section 91.044, Labor Code, is amended by
5 amending Subsection (a) and adding Subsections (a-1) and (a-2) to
6 read as follows:

7 (a) A license holder is the employer of a covered employee
8 for purposes of Subtitle A, Title 4, and, except for wages subject
9 to Section 91.032(c), for purposes of Chapter 61.

10 (a-1) A license holder may, in a calendar year during which
11 an employee becomes a covered employee of the license holder, apply
12 toward the maximum amount of taxable wages established in Section
13 201.082(1) any wages paid to the employee in that calendar year by:

14 (1) the client; or

15 (2) another license holder under a prior professional
16 employer services agreement with that client.

17 (a-2) In addition to any other reports required to be filed
18 by law, a license holder shall report quarterly to the Texas
19 Workforce Commission on a form prescribed by the Texas Workforce
20 Commission the name, address, telephone number, federal income tax
21 identification number, and classification code according to the
22 North American Industry Classification System [as described in the
23 "Standard Industrial Classification Manual" published by the
24 United States Office of Management and Budget] of each client.

25 SECTION _____. Section 201.101, Labor Code, is amended to
26 read as follows:

27 Sec. 201.101. CONFORMITY WITH FEDERAL STATUTES. If the
28 United States secretary of labor holds that Section 91.044(a-1) or
29 a provision of this subtitle does not conform with a federal

1 statute, the commission may administer Section 91.044(a-1) or this
2 subtitle, as applicable, to conform with the federal statute until
3 the legislature meets in its next session and has an opportunity to
4 amend the applicable law [~~this subtitle~~].

5 SECTION _____. Section 91.044, Labor Code, as amended by
6 this Act, applies only to contributions and withholdings required
7 under Subtitle A, Title 4, Labor Code, due for employment services
8 rendered on or after January 1, 2016.