

## **BILL ANALYSIS**

H.B. 492  
By: Hernandez  
Business & Industry  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, a person is required to file a wage claim for unpaid wages with the Texas Workforce Commission not later than the 180th day after the date the wages claimed became due for payment. This filing deadline, interested parties note, can be problematic as victims of wage theft do not always know they have the ability to file a formal complaint until after the 180-day deadline has passed. According to the parties, other states provide a longer period for victims of wage theft to file complaints. H.B. 492 seeks to address this problem by granting victims of wage theft more flexibility when filing a claim.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 492 amends the Labor Code to extend the deadline by which an employee must file a wage claim for unpaid wages with the Texas Workforce Commission from not later than the 180th day after the date the wages claimed became due for payment to not later than the first anniversary of the date the wages claimed became due for payment. The bill's provisions apply to a wage claim for wages that became due for payment on or after March 5, 2015.

### **EFFECTIVE DATE**

September 1, 2015.