

By: Oliveira

H.B. No. 1714

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a report by the comptroller regarding the
3 misclassification of employees.

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

5 SECTION 1. REPORT ON EMPLOYEE MISCLASSIFICATION. (a) The
6 comptroller of public accounts shall prepare a report on the extent
7 to which employers in this state misclassify employees as
8 independent contractors.

9 (b) The report must include:

10 (1) an analysis of the economic impact of
11 misclassification on:

12 (A) wages;

13 (B) unemployment insurance taxes; and

14 (C) federal income and social security taxes;

15 (2) information regarding the availability to a
16 misclassified employee of the following:

17 (A) health benefits;

18 (B) pension benefits;

19 (C) workers' compensation coverage; and

20 (D) unemployment compensation benefits; and

21 (3) recommendations for legislation to decrease the
22 occurrence of employee misclassification.

23 (c) On request by the comptroller, the Texas Workforce
24 Commission shall provide information to the comptroller or

1 otherwise assist the comptroller in preparing the report.

2 (d) Not later than December 1, 2016, the comptroller shall
3 provide a copy of the report to:

4 (1) the governor;

5 (2) the lieutenant governor;

6 (3) the speaker of the house of representatives; and

7 (4) each standing committee of the senate and house of
8 representatives having primary jurisdiction over matters relating
9 to labor and employment.

10 SECTION 2. EXPIRATION. This Act expires June 1, 2017.

11 SECTION 3. EFFECTIVE DATE. This Act takes effect September
12 1, 2015.