

By: Fallon

H.B. No. 3652

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the workers' compensation death benefits paid to the  
3 beneficiaries of certain state service members killed in the line  
4 of duty.

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

6 SECTION 1. Section 408.181(b), Labor Code, is amended to  
7 read as follows:

8 (b) Subject to Sections [~~Section~~] 408.061 and 408.1811, the  
9 amount of a death benefit is equal to 75 percent of the employee's  
10 average weekly wage.

11 SECTION 2. Subchapter J, Chapter 408, Labor Code, is  
12 amended by adding Section 408.1811 to read as follows:

13 Sec. 408.1811. ADDITIONAL LUMP-SUM PAYMENT TO  
14 BENEFICIARIES OF TEXAS MILITARY FORCES. (a) In this section,  
15 "state militia member" means a member of the state militia, as  
16 defined by Section 431.001, Government Code.

17 (b) In addition to any other benefits to which a beneficiary  
18 is entitled under this subchapter, the insurance carrier shall pay  
19 an additional \$100,000 to the beneficiary of a state militia member  
20 killed while:

21 (1) on state active duty;

22 (2) on state training or other duty; or

23 (3) traveling to or from the member's duty location.

24 SECTION 3. The change in law made by this Act applies only

1 to a claim for workers' compensation benefits based on a  
2 compensable injury that occurs on or after the effective date of  
3 this Act. A claim based on a compensable injury that occurs before  
4 that date is governed by the law as it existed on the date the  
5 compensable injury occurred, and the former law is continued in  
6 effect for that purpose.

7 SECTION 4. This Act takes effect September 1, 2015.