

By: Ellis

S.B. No. 263

A BILL TO BE ENTITLED

AN ACT

1
2 relating to injury and occupational disease reporting requirements
3 for employers who do not obtain or otherwise provide workers'
4 compensation insurance coverage; providing an administrative
5 violation.

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

7 SECTION 1. Section [411.032](#), Labor Code, is amended by
8 adding Subsections (a-1) and (a-2) and amending Subsections (b) and
9 (c) to read as follows:

10 (a-1) In addition to complying with Section [411.033](#), an
11 employer who does not obtain or otherwise provide workers'
12 compensation insurance coverage shall report to the division
13 regarding each injury or occupational disease described by
14 Subsection (a):

- 15 (1) the total cost of medical treatment paid;
16 (2) the number of days the employee was absent from
17 work;
18 (3) the amount of any wage replacement paid to the
19 employee; and
20 (4) the amount of any other settlement paid to the
21 employee.

22 (a-2) A report filed under Subsection (a-1) must reflect the
23 total payments made for each injury or occupational disease during
24 the one-year period following the date on which:

1 (1) the injury occurred; or

2 (2) the employer had knowledge of the occupational
3 disease.

4 (b) The commissioner shall adopt rules and prescribe the
5 form, ~~and~~ manner, and deadline for submission of reports filed
6 under this section.

7 (c) An employer commits an administrative violation if the
8 employer fails to report to the division as required under this
9 section [~~Subsection (a)~~] unless good cause exists, as determined by
10 the commissioner, for the failure.

11 SECTION 2. The changes in law made by this Act to Section
12 [411.032](#), Labor Code, apply only to an injury or occupational
13 disease that occurs on or after June 1, 2016. An injury or
14 occupational disease that occurs before that date is governed by
15 the law in effect on the date the injury or occupational disease
16 occurred, and the former law is continued in effect for that
17 purpose.

18 SECTION 3. This Act takes effect September 1, 2015.