

AN ACT

relating to service and filing requirements for a party seeking judicial review in certain workers' compensation cases.

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

SECTION 1. Section 410.253, Labor Code, is amended to read as follows:

Sec. 410.253. SERVICE[~~, NOTICE~~]. (a) A party seeking judicial review shall simultaneously:

(1) file a copy of the party's petition with the court;

(2) serve any opposing party to the suit; and

(3) provide a copy [~~written notice~~] of the party's petition [~~suit or notice of appeal~~] to the division.

(b) A party may not seek judicial review under Section 410.251 unless the party has provided the copy [~~written notice~~] of the petition [~~suit~~] to the division under Subsection (a)(3) [~~as required by this section~~].

SECTION 2. Section 410.258, Labor Code, is amended by amending Subsection (a) and adding Subsections (a-1), (a-2), and (a-3) to read as follows:

(a) The party who initiated a proceeding under this subchapter or Subchapter G must file any proposed judgment or settlement [~~made by the parties to the proceeding~~], including a proposed default judgment or proposed agreed judgment, with the division not later than the 30th day before the date on which the

1 court is scheduled to enter the judgment or approve the
2 settlement.

3 (a-1) If the terms of the proposed settlement or proposed
4 agreed judgment, including all payments to be made, are not
5 described in the proposed settlement or proposed agreed judgment,
6 the party must also file with the division at the time of filing the
7 proposed settlement or proposed agreed judgment a separate document
8 that fully describes the terms of the proposed settlement or
9 proposed agreed judgment.

10 (a-2) The proposed [~~judgment or~~] settlement or proposed
11 agreed judgment and any separate document described by Subsection
12 (a-1) must be mailed to the division by certified mail, return
13 receipt requested.

14 (a-3) The separate document filed with the division under
15 Subsection (a-1) is not subject to disclosure under Chapter 552,
16 Government Code.

17 SECTION 3. Section 410.253, Labor Code, as amended by this
18 Act, applies to a petition for judicial review filed on or after the
19 effective date of this Act.

20 SECTION 4. Section 410.258, Labor Code, as amended by this
21 Act, applies to a proposed judgment or settlement related to a
22 proceeding under Subchapter F or G, Chapter 410, Labor Code,
23 initiated on or after the effective date of this Act.

24 SECTION 5. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 2061 was passed by the House on April 20, 2017, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2061 was passed by the Senate on May 12, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor