

1-1 By: Hancock S.B. No. 876
 1-2 (In the Senate - Filed February 14, 2017; February 28, 2017,
 1-3 read first time and referred to Committee on Business & Commerce;
 1-4 April 12, 2017, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; April 12, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to service and filing requirements for a party seeking
 1-20 judicial review in certain workers' compensation cases.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 410.253, Labor Code, is amended to read
 1-23 as follows:

1-24 Sec. 410.253. SERVICE[; ~~NOTICE~~]. (a) A party seeking
 1-25 judicial review shall simultaneously:

1-26 (1) file a copy of the party's petition with the court;

1-27 (2) serve any opposing party to the suit; and

1-28 (3) provide a copy [~~written notice~~] of the party's
 1-29 petition [~~suit or notice of appeal~~] to the division.

1-30 (b) A party may not seek judicial review under Section
 1-31 410.251 unless the party has provided the copy [~~written notice~~] of
 1-32 the petition [~~suit~~] to the division under Subsection (a)(3) [~~as~~
 1-33 ~~required by this section~~].

1-34 SECTION 2. Section 410.258, Labor Code, is amended by
 1-35 amending Subsection (a) and adding Subsections (a-1), (a-2), and
 1-36 (a-3) to read as follows:

1-37 (a) The party who initiated a proceeding under this
 1-38 subchapter or Subchapter G must file any proposed judgment or
 1-39 settlement [~~made by the parties to the proceeding~~], including a
 1-40 proposed default judgment or proposed agreed judgment, with the
 1-41 division not later than the 30th day before the date on which the
 1-42 court is scheduled to enter the judgment or approve the settlement.

1-43 (a-1) If the terms of the proposed settlement or proposed
 1-44 agreed judgment, including all payments to be made, are not
 1-45 described in the proposed settlement or proposed agreed judgment,
 1-46 the party must also file with the division at the time of filing the
 1-47 proposed settlement or proposed agreed judgment a separate document
 1-48 that fully describes the terms of the proposed settlement or
 1-49 proposed agreed judgment.

1-50 (a-2) The proposed [~~judgment or~~] settlement or proposed
 1-51 agreed judgment and any separate document described by Subsection
 1-52 (a-1) must be mailed to the division by certified mail, return
 1-53 receipt requested.

1-54 (a-3) The separate document filed with the division under
 1-55 Subsection (a-1) is not subject to disclosure under Chapter 552,
 1-56 Government Code.

1-57 SECTION 3. Section 410.253, Labor Code, as amended by this
 1-58 Act, applies to a petition for judicial review filed on or after the
 1-59 effective date of this Act.

1-60 SECTION 4. Section 410.258, Labor Code, as amended by this
 1-61 Act, applies to a proposed judgment or settlement related to a

2-1 proceeding under Subchapter F or G, Chapter 410, Labor Code,
2-2 initiated on or after the effective date of this Act.
2-3 SECTION 5. This Act takes effect September 1, 2017.

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