

## **BILL ANALYSIS**

C.S.H.B. 3635

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International Relations & Economic Development  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The Texas Workforce Commission (TWC) determines whether to approve vehicle modifications based on a TWC evaluation of the safety of the modification. Safety suggestions made by the TWC may include recommendations that may require significant lifestyle changes for the person seeking a vehicle modification, such as transitioning to the use of a mechanical wheelchair. C.S.H.B. 3635 seeks to address this issue by requiring the TWC to allow an applicant for a vehicle modification to cover the cost of any part of the requested modification that the TWC determines to be unsafe but that does not violate state or federal law or regulations.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Workforce Commission in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 3635 amends the Labor Code to revise the extent to which the Texas Workforce Commission (TWC) may deny an application for vehicle modifications under the vocational rehabilitation program on grounds of safety. The bill requires the TWC, if it is determined after a vehicle modification review is conducted that a portion of an applicant's requested vehicle modifications is not safe, to inform the applicant about the unsafe modification and, on the applicant's request, make a determination regarding whether the unsafe modification violates state or federal law or regulations. If the TWC determines that the unsafe modification does not violate applicable state or federal law or regulations, the TWC must provide those modifications that were determined to be safe and allow the applicant to pay out-of-pocket for those modifications that were determined to be unsafe. The bill requires the TWC to adopt rules necessary to implement the bill's provisions.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3635 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While the original required the TWC to determine whether a modification determined to be unsafe violated state or federal law and to implement the requested modifications accordingly, the substitute extends the scope of the TWC determination to include whether the modification violates state or federal regulations.