

By: Eckhardt

S.B. No. 1045

A BILL TO BE ENTITLED

AN ACT

relating to certain claims against the third-party administrator or vendor of health benefits for the employees of a political subdivision.

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

SECTION 1. Chapter 180, Local Government Code, is amended by adding Section 180.008 to read as follows:

Sec. 180.008. LIABILITY FOR CERTAIN EMPLOYMENT BENEFIT CLAIMS. Notwithstanding any other law, a political subdivision's third-party health benefits administrator or other health benefits vendor is liable for a claim based on a dispute under an employment benefit, including health benefit plan coverage, provided to an employee of the political subdivision by the political subdivision if the underlying claim is based on the vendor's duty under the vendor's agreement with the political subdivision.

SECTION 2. The heading to Chapter 180, Local Government Code, is amended to read as follows:

CHAPTER 180. MISCELLANEOUS PROVISIONS AFFECTING OFFICERS AND EMPLOYEES OF MUNICIPALITIES, COUNTIES, AND ~~CERTAIN~~ OTHER LOCAL GOVERNMENTS

SECTION 3. Section 180.008, Local Government Code, as added by this Act, applies only to an action that commences on or after the effective date of this Act. An action that commences before the effective date of this Act is governed by the law applicable to the

1 action immediately before the effective date of this Act, and that
2 law is continued in effect for that purpose.

3 SECTION 4. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2021.