88R1921 SCL-D

By:  Goodwin H.B. No. 27

A BILL TO BE ENTITLED

AN ACT

relating to protection of employers from liability and certain other penalties in connection with the provision of employee benefits.

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

SECTION 1.  Title 6, Civil Practice and Remedies Code, is amended by adding Chapter 142B to read as follows:

CHAPTER 142B. ACTIONS ARISING FROM PROVISION OF EMPLOYEE BENEFITS

Sec. 142B.001.  DEFINITIONS. In this chapter:

(1)  "Employee" means a person who, for compensation, performs services for an employer under a written or oral contract, whether express or implied.

(2)  "Employee benefit" means a benefit provided in connection with employment other than wages. The term includes a payment for the costs associated with receiving a health care service in another state.

Sec. 142B.002.  LIMITATION ON CERTAIN ACTIONS ARISING FROM PROVISION OF EMPLOYEE BENEFITS. (a) Notwithstanding any other law, a civil action may not be brought and a disciplinary action may not be taken against an employer based solely on the employer's choice to offer or provide a particular employee benefit.

(b)  This section does not create a cause of action or expand an existing cause of action.

SECTION 2.  Section 142B.002, Civil Practice and Remedies Code, as added by this Act, applies only to an employee benefit provided on or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2023.