

1-1 By: Anchia, et al. (Senate Sponsor - Johnson) H.B. No. 1455
 1-2 (In the Senate - Received from the House May 2, 2023;
 1-3 May 4, 2023, read first time and referred to Committee on
 1-4 Jurisprudence; May 10, 2023, reported favorably by the following
 1-5 vote: Yeas 4, Nays 1; May 10, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hughes	X			
1-8 Johnson	X			
1-9 Creighton	X			
1-10 Hinojosa	X			
1-11 Middleton		X		
1-12				

1-13 A BILL TO BE ENTITLED
 1-14 AN ACT

1-15 relating to health care benefits of persons wrongfully imprisoned.

1-16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-17 SECTION 1. Section 103.001(d), Civil Practice and Remedies
 1-18 Code, is amended to read as follows:

1-19 (d) Subject to this section, a person entitled to
 1-20 compensation under Subsection (a) is also eligible to obtain group
 1-21 health benefit plan coverage through the Texas Department of
 1-22 Criminal Justice as if the person were an employee of the
 1-23 department. ~~The [This subsection does not entitle the] person's~~
 1-24 ~~spouse and dependents may be included in the person's [or other~~
 1-25 ~~dependent or family member to group health benefit plan] coverage~~
 1-26 as if the person were an employee of the department. Coverage may
 1-27 be obtained under this subsection for a period of time equal to the
 1-28 total period the claimant served for the crime for which the
 1-29 claimant was wrongfully imprisoned, including any period during
 1-30 which the claimant was released on parole or to mandatory
 1-31 supervision or required to register under Chapter 62, Code of
 1-32 Criminal Procedure. A person who elects to obtain coverage under
 1-33 this subsection shall pay a monthly contribution equal to the total
 1-34 amount of the monthly contributions for that coverage for an
 1-35 employee of the department.

1-36 SECTION 2. Section 1551.115, Insurance Code, is amended to
 1-37 read as follows:

1-38 Sec. 1551.115. PARTICIPATION BY WRONGFULLY IMPRISONED
 1-39 PERSONS. Subject to Section 103.001, Civil Practice and Remedies
 1-40 Code, a person who is entitled to compensation under Chapter 103,
 1-41 Civil Practice and Remedies Code, is eligible to obtain health
 1-42 benefit plan coverage under the group benefits program in the
 1-43 manner and to the extent that an employee of the Texas Department of
 1-44 Criminal Justice would be entitled to coverage. The person's spouse
 1-45 and dependents may be included in the person's coverage as if the
 1-46 person were an employee of the Texas Department of Criminal
 1-47 Justice~~[, except that this section does not entitle the person's~~
 1-48 ~~spouse or other dependent or family member to coverage].~~

1-49 SECTION 3. A person who, before the effective date of this
 1-50 Act, obtained group health benefit plan coverage under Section
 1-51 103.001(d), Civil Practice and Remedies Code, and Section 1551.115,
 1-52 Insurance Code, as those laws existed before the effective date of
 1-53 this Act, may elect to include the person's spouse and dependents in
 1-54 the person's coverage as provided by Section 103.001(d), Civil
 1-55 Practice and Remedies Code, and Section 1551.115, Insurance Code,
 1-56 as amended by this Act. An election under this section must be
 1-57 made:

- 1-58 (1) not later than March 1, 2024; or
- 1-59 (2) during any subsequent open enrollment period
- 1-60 applicable to employees of the Texas Department of Criminal
- 1-61 Justice.

2-1 SECTION 4. This Act takes effect September 1, 2023.

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