

AN ACT

relating to the exclusion of certain medical services performed to determine an appropriate level of workers' compensation benefits from sales and use taxes.

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

SECTION 1. Section 151.0039(b), Tax Code, is amended to read as follows:

(b) "Insurance service" does not include:

(1) insurance coverage for which a premium is paid or commissions paid to insurance agents for the sale of insurance or annuities;

(2) a service performed on behalf of an insured by a person licensed under Chapter 4102, Insurance Code;

(3) a service performed by a certified public accountancy firm, if less than one percent of the firm's total revenue in the prior calendar year is from services in this state that would otherwise constitute insurance service under Subsection (a);

(4) a service performed on behalf of a certified public accountancy firm by an owner of the firm or a member of the firm's affiliated group, if less than one percent of the owner's or member's total revenue in the prior calendar year is from services in this state that would otherwise constitute insurance service under Subsection (a); [~~or~~]

1 (5) a medical or dental billing service performed
2 before the original submission of:

3 (A) a medical or dental insurance claim related
4 to health or dental coverage; or

5 (B) a claim related to health or dental coverage
6 made to a medical assistance program funded by the federal
7 government, a state government, or both; or

8 (6) a medical service, examination, or test required
9 or authorized under Chapter 408, Labor Code, for the purpose of
10 determining the appropriate level of benefits under that chapter.

11 SECTION 2. The changes in law made by this Act do not affect
12 tax liability accruing before the effective date of this Act. That
13 liability continues in effect as if this Act had not been enacted,
14 and the former law is continued in effect for the collection of
15 taxes due and for civil and criminal enforcement of the liability
16 for those taxes.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2023.

S.B. No. 1122

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1122 passed the Senate on April 12, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1122 passed the House on May 19, 2023, by the following vote: Yeas 119, Nays 24, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor