

1-1 By: Perry S.B. No. 2269  
1-2 (In the Senate - Filed March 10, 2023; March 22, 2023, read  
1-3 first time and referred to Committee on Business & Commerce;  
1-4 April 17, 2023, reported favorably by the following vote: Yeas 10,  
1-5 Nays 0; April 17, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9			X	
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to discontinuing group self-insurance coverage and  
1-22 dissolving the Texas self-insurance group guaranty fund and trust  
1-23 fund under the Texas Workers' Compensation Act.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter B, Chapter 407A, Labor Code, is  
1-26 amended by adding Section 407A.0521 to read as follows:

1-27 Sec. 407A.0521. NEW CERTIFICATES OF APPROVAL PROHIBITED.

1-28 (a) Notwithstanding Section 407A.052, the commissioner may not  
1-29 issue a certificate of approval to a proposed group on or after  
1-30 September 1, 2023.

1-31 (b) The commissioner may amend a certificate of approval  
1-32 issued to a group before September 1, 2023.

1-33 SECTION 2. Subchapter J, Chapter 407A, Labor Code, is  
1-34 amended by adding Section 407A.4561 to read as follows:

1-35 Sec. 407A.4561. REVISED PLAN OF OPERATION: WIND DOWN. (a)  
1-36 In this section, "qualified group" means a group that:

1-37 (1) holds a current certificate of approval under this  
1-38 chapter; and

1-39 (2) has not been determined by the commissioner to be  
1-40 insolvent under Section 407A.355.

1-41 (b) The board shall submit to the commissioner for approval  
1-42 a revised plan of operation to wind down and dissolve the guaranty  
1-43 fund and trust fund. The plan must include:

1-44 (1) steps for:

1-45 (A) distributing any remaining money in the  
1-46 guaranty fund and trust fund to qualified groups; and

1-47 (B) notifying interested parties; and

1-48 (2) an estimated timeline for the wind down.

1-49 (c) The commissioner shall approve the board's revised plan  
1-50 of operation if the commissioner determines that the plan  
1-51 sufficiently describes the actions the board will take to wind down  
1-52 and dissolve the guaranty fund and trust fund.

1-53 (d) The board shall:

1-54 (1) implement the revised plan of operation approved  
1-55 under Subsection (b); and

1-56 (2) provide written notice to the commissioner of the  
1-57 completion of the wind down not later than the 30th day after the  
1-58 date of completion.

1-59 (e) Not later than the 30th day after the date the  
1-60 commissioner receives the board's notice under Subsection (d), the  
1-61 commissioner shall determine whether the guaranty fund has met its

2-1 obligations under the approved revised plan of operation. If the  
2-2 commissioner determines that the guaranty fund met the fund's  
2-3 obligations, the commissioner shall issue an order requiring the  
2-4 distribution of any remaining money in the guaranty fund and trust  
2-5 fund to qualified groups.

2-6 (f) On the 30th day after the date the commissioner issues  
2-7 the order under Subsection (e):

2-8 (1) the guaranty fund and the trust fund are  
2-9 dissolved; and

2-10 (2) the board is abolished.

2-11 SECTION 3. Not later than December 1, 2023, the board of  
2-12 directors of the Texas self-insurance group guaranty fund shall  
2-13 submit the revised plan of operation to the commissioner of  
2-14 insurance required by Section 407A.4561, Labor Code, as added by  
2-15 this Act.

2-16 SECTION 4. This Act takes effect September 1, 2023.

2-17 \* \* \* \* \*