

BILL ANALYSIS

Senate Research Center
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H.B. 4464
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In response to disasters and incidents, emergency first responders, such as firefighters, from local governments participate in state deployments under Texas Task Force 1, intrastate mutual aid system teams, and regional incident management teams. If an individual is injured while on a deployment, local governments are not fully compensated by the State due to current workers' compensation laws which cap the state's coverage at 75 percent. For this reason, local governments are disincentivized from allowing their employees to participate in these programs.

H.B. 4464 seeks to ensure first responders on state deployment are always covered and local governments are fully compensated when their employees are injured while deployed to address disasters and incidents across Texas. This bill is vitally important to ensure emergency first responders are available when Texas needs them most.

H.B. 4464 amends current law relating to the provision of workers' compensation insurance coverage for certain Texas Task Force 1 members and intrastate fire mutual aid system team and regional incident management team members.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 88.126(a)(2), Education Code, to redefine "local government employee member."

SECTION 2. Amends Section 88.126, Education Code, by adding Subsection (e), to provide that service with an intrastate fire mutual aid system team or a regional incident management team by a local government employee member who is activated is considered to be in the course and scope of the employee's regular employment with the local government.

SECTION 3. Amends Section 88.303, Education Code, by adding Subsection (c-1) to provide that service with Texas Task Force 1 by a local government employee member who is activated is considered to be in the course and scope of the employee's regular employment with the local government.

SECTION 4. Amends the heading to Section 408.0445, Labor Code, to read as follows:

Sec. 408.0445. AVERAGE WEEKLY WAGE FOR MEMBERS OF STATE
MILITARY FORCES.

SECTION 5. Amends Section 501.001(5), Labor Code, to redefine "employee."

SECTION 6. Amends Chapter 506, Labor Code, by adding Section 506.003, as follows:

Sec. 506.003. PROVISIONS APPLICABLE TO MEMBERS OF TEXAS TASK
FORCE 1, INTRASTATE FIRE MUTUAL AID SYSTEM TEAM, OR REGIONAL

INCIDENT MANAGEMENT TEAM. (a) Provides that this section applies only to an employee, as defined by certain provisions, who is:

(1) a member of Texas Task Force 1, as defined by Section 88.302 (Texas Task Force 1), Education Code, or a member of an intrastate fire mutual aid system team or a regional incident management team, as defined by Section 88.126 (Workers' Compensation Insurance Coverage: Intrastate Fire Mutual Aid System and Regional Incident Management Teams), Education Code; and

(2) activated by the Texas Division of Emergency Management or is injured during training that is sponsored or sanctioned by the Texas Division of Emergency Management or Texas Task Force 1.

(b) Provides that, for purposes of workers' compensation coverage under certain chapters service with Texas Task Force 1, an intrastate fire mutual aid system team, or a regional incident management team, as applicable, by an employee is considered to be in the course and scope of the employee's regular employment with the employer.

SECTION 7. Repealers: Sections 88.126(a)(4) (relating to defining "nongovernment member") and 88.126(b) (relating to providing that, during certain periods, a participating nongovernment member or local government employee member is included in certain coverage in the same manner as an employee), Education Code.

Repealers: Sections 88.301(3) (relating to defining "nongovernment member") and 88.303(a) (relating to providing that, during certain periods, a participating nongovernment member or local government employee member is included in certain coverage in the same manner as an employee), Education Code.

Repealers: Sections 408.0445(b) (relating to the average weekly wage of a Texas Task Force 1 member) and (c) (relating to the average weekly wage of an intrastate fire mutual aid system team member or a regional incident management team member), Labor Code.

Repealers: Sections 501.002(f) (relating to requiring the Texas Engineering Extension Service of the Texas A&M University System to perform all duties of an employer in relation to a Texas Task Force 1 member who is injured and receives certain benefits) and (g) (relating to requiring the Texas A&M Forest Service to perform all duties of an employer in relation to an intrastate fire mutual aid system team member or a regional incident management team member who is injured and receives certain benefits), Labor Code.

SECTION 8. Makes application of this Act prospective.

SECTION 9. Effective date: September 1, 2025.