

1-1 By: Landgraf, et al. (Senate Sponsor - Sparks) H.B. No. 1306
1-2 (In the Senate - Received from the House May 12, 2025;
1-3 May 12, 2025, read first time and referred to Committee on Criminal
1-4 Justice; May 21, 2025, reported favorably by the following vote:
1-5 Yeas 6, Nays 0; May 21, 2025, sent to printer.)

1-6	COMMITTEE VOTE			
1-7		Yea	Nay	Absent
1-8	Flores	X		PNV
1-9	Parker	X		
1-10	Hagenbuch	X		
1-11	Hinojosa of Hidalgo	X		
1-12	Huffman			X
1-13	King	X		
1-14	Miles	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to certain claims for benefits or compensation by a death
1-18 investigation professional.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Sections 607.001, 607.002, and 607.003,
1-21 Government Code, are amended to read as follows:

1-22 Sec. 607.001. DEFINITIONS ~~[DEFINITION]~~. (a) In this
1-23 chapter, "public safety employee" means a peace officer, fire
1-24 fighter, detention officer, county jailer, or emergency medical
1-25 services employee of this state or a political subdivision of this
1-26 state.

1-27 (b) In this subchapter:

1-28 (1) "Death investigation professional" means:

1-29 (A) a justice of the peace;

1-30 (B) a death investigator employed under Article
1-31 49.23, Code of Criminal Procedure; or

1-32 (C) a medical examiner or an employee of the
1-33 medical examiner's office employed under Section 3, Article 49.25,
1-34 Code of Criminal Procedure.

1-35 (2) "Inquest" has the meaning assigned by Article
1-36 49.01, Code of Criminal Procedure.

1-37 Sec. 607.002. REIMBURSEMENT. (a) A public safety employee
1-38 or death investigation professional who is exposed to a contagious
1-39 disease is entitled to reimbursement ~~[from the employing~~
1-40 ~~governmental entity]~~ for reasonable medical expenses incurred in
1-41 treatment for the prevention of the disease if:

1-42 (1) the disease is not an "ordinary disease of life" as
1-43 that term is used in the context of a workers' compensation claim;

1-44 (2) the exposure to the disease occurs:

1-45 (A) during the course of the employment for a
1-46 public safety employee; or

1-47 (B) while conducting or assisting in an inquest
1-48 for a death investigation professional; and

1-49 (3) the employee or professional requires
1-50 preventative medical treatment because of exposure to the disease.

1-51 (b) The governmental entity that employs the public safety
1-52 employee is responsible for reimbursing the employee for medical
1-53 expenses described by Subsection (a).

1-54 (c) The county served by the death investigation
1-55 professional is responsible for reimbursing the professional for
1-56 medical expenses described by Subsection (a).

1-57 Sec. 607.003. PHYSICIAN OF CHOICE. A public safety
1-58 employee or death investigation professional who is exposed to a
1-59 disease described by Section 607.002 is entitled to be treated for
1-60 the prevention of that disease by the physician of the employee's or
1-61 professional's choice.

SECTION 2. Section 607.004, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A death investigation professional is entitled to preventative immunization for any disease to which the death investigation professional may be exposed in conducting or assisting in an inquest and for which immunization is possible.

SECTION 3. Section 615.003, Government Code, is amended to read as follows:

Sec. 615.003. APPLICABILITY. This chapter applies only to eligible survivors of the following individuals:

(1) an individual:

(A) elected, appointed, or employed as a peace officer by the state or a political subdivision of the state under Article 2A.001, Code of Criminal Procedure, or other law; or

(B) employed as a peace officer by a private institution of higher education, including a private junior college, that is located in this state under Section 51.212, Education Code;

(2) a paid probation officer appointed by the director of a community supervision and corrections department who has the duties set out in Section 76.002 and the qualifications set out in Section 76.005, or who was appointed in accordance with prior law;

(3) a parole officer employed by the Texas Department of Criminal Justice who has the duties set out in Section 508.001 and the qualifications set out in Section 508.113 or in prior law;

(4) a paid jailer;

(5) a member of an organized police reserve or auxiliary unit who regularly assists peace officers in enforcing criminal laws;

(6) a member of the class of employees of the correctional institutions division formally designated as custodial personnel under Section 615.006 by the Texas Board of Criminal Justice or its predecessor in function;

(7) a jailer or guard of a county jail who is appointed by the sheriff and who:

(A) performs a security, custodial, or supervisory function over the admittance, confinement, or discharge of prisoners; and

(B) is certified by the Texas Commission on Law Enforcement;

(8) a juvenile correctional employee of the Texas Juvenile Justice Department;

(9) an employee of the Health and Human Services Commission [~~Department of Aging and Disability Services~~] or Department of State Health Services who:

(A) works at the department's maximum security unit; or

(B) performs on-site services for the Texas Department of Criminal Justice;

(10) an individual who is employed by the state or a political or legal subdivision and is subject to certification by the Texas Commission on Fire Protection;

(11) an individual employed by the state or a political or legal subdivision whose principal duties are aircraft crash and rescue fire fighting;

(12) a member of an organized volunteer fire-fighting unit that:

(A) renders fire-fighting services without remuneration; and

(B) conducts a minimum of two drills each month, each two hours long;

(13) an individual who:

(A) performs emergency medical services or operates an ambulance;

(B) is employed by a political subdivision of the state or is an emergency medical services volunteer as defined by Section 773.003, Health and Safety Code; and

(C) is qualified as an emergency care attendant or at a higher level of training under Section 773.046, 773.047,

773.048, 773.049, or 773.0495, Health and Safety Code;

(14) an individual who is employed or formally designated as a chaplain for:

(A) an organized volunteer fire-fighting unit or other fire department of this state or of a political subdivision of this state;

(B) a law enforcement agency of this state or of a political subdivision of this state; or

(C) the Texas Department of Criminal Justice;

(15) an individual who is employed by the state or a political subdivision of the state and who is considered by the governmental employer to be a trainee for a position otherwise described by this section;

(16) an individual who is employed by the Department of Public Safety and, as certified by the director, is:

(A) deployed into the field in direct support of a law enforcement operation, including patrol, investigative, search and rescue, crime scene, on-site communications, or special operations; and

(B) given a special assignment in direct support of operations relating to organized crime, criminal interdiction, border security, counterterrorism, intelligence, traffic enforcement, emergency management, regulatory services, or special investigations; ~~or~~

(17) an individual who is employed by the Parks and Wildlife Department and, as certified by the executive director of the Parks and Wildlife Department, is:

(A) deployed into the field in direct support of a law enforcement operation, including patrol, investigative, search and rescue, crime scene, on-site communications, or special operations; and

(B) given a special assignment in direct support of operations relating to organized crime, criminal interdiction, border security, counterterrorism, intelligence, traffic enforcement, emergency management, regulatory services, or special investigations;

(18) a justice of the peace;

(19) a death investigator employed under Article 49.23, Code of Criminal Procedure; or

(20) a medical examiner or an employee of the medical examiner's office employed under Section 3, Article 49.25, Code of Criminal Procedure.

SECTION 4. Subchapter C, Chapter 504, Labor Code, is amended by adding Section 504.057 to read as follows:

Sec. 504.057. EXPEDITED PROVISION OF MEDICAL BENEFITS FOR CERTAIN INJURIES SUSTAINED BY CERTAIN DEATH INVESTIGATION PROFESSIONALS IN COURSE AND SCOPE OF EMPLOYMENT. (a) In this section, "death investigation professional" means:

(1) a justice of the peace;

(2) a death investigator employed under Article 49.23, Code of Criminal Procedure; or

(3) a medical examiner or an employee of the medical examiner's office employed under Section 3, Article 49.25, Code of Criminal Procedure.

(b) This section applies only to a death investigation professional who sustains a serious bodily injury, as defined by Section 1.07, Penal Code, in the course and scope of employment.

(c) The county, division, and insurance carrier shall accelerate and give priority to an injured death investigation professional's claim for medical benefits, including all health care required to cure or relieve the effects naturally resulting from a compensable injury described by Subsection (b).

(d) The division shall accelerate, under rules adopted by the commissioner of workers' compensation, a contested case hearing requested by or an appeal submitted by a death investigation professional regarding the denial of a claim for medical benefits, including all health care required to cure or relieve the effects naturally resulting from a compensable injury described by Subsection (b). The death investigation professional shall provide

notice to the division and independent review organization that the contested case or appeal involves a death investigation professional.

(e) Except as otherwise provided by this section, a death investigation professional is entitled to review of a medical dispute in the manner provided by Section 504.054.

SECTION 5. Section 415.021(c-2), Labor Code, is amended to read as follows:

(c-2) In determining whether to assess an administrative penalty involving a claim in which the insurance carrier provided notice under Section 409.021(a-3), the commissioner shall consider whether:

(1) the employee cooperated with the insurance carrier's investigation of the claim;

(2) the employee timely authorized access to the applicable medical records before the insurance carrier's deadline to:

(A) begin payment of benefits; or

(B) notify the division and the employee of the insurance carrier's refusal to pay benefits; and

(3) the insurance carrier conducted an investigation of the claim, applied the statutory presumptions under Subchapter B, Chapter 607, Government Code, and expedited medical benefits under Section 504.055 or 504.057.

SECTION 6. The changes in law made by this Act apply to a claim for benefits or compensation pending on or filed on or after the effective date of this Act. A claim for benefits or compensation filed before that date, other than a claim pending on that date, is governed by the law in effect on the date the claim was made, and the former law is continued in effect for that purpose.

SECTION 7. This Act takes effect September 1, 2025.

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