

By: González of El Paso, Patterson

H.B. No. 4464

A BILL TO BE ENTITLED

AN ACT

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.

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

SECTION 1. Section 88.126(a)(2), Education Code, is amended to read as follows:

(2) "Local government employee member" means a member who is an employee, as defined by Section 504.001, Labor Code, of ~~employed by~~ a local government, as defined by Section 102.001, Civil Practice and Remedies Code.

SECTION 2. Section 88.126, Education Code, is amended by adding Subsection (e) to read as follows:

(e) 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. Section 88.303, Education Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) 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

1 government.

2 SECTION 4. The heading to Section 408.0445, Labor Code, is  
3 amended to read as follows:

4 Sec. 408.0445. AVERAGE WEEKLY WAGE FOR MEMBERS OF STATE  
5 MILITARY FORCES[~~, TEXAS TASK FORCE 1, INTRASTATE FIRE MUTUAL AID~~  
6 ~~SYSTEM TEAMS, AND REGIONAL INCIDENT MANAGEMENT TEAMS~~].

7 SECTION 5. Section 501.001(5), Labor Code, is amended to  
8 read as follows:

9 (5) "Employee" means a person who is:

10 (A) in the service of the state pursuant to an  
11 election, appointment, or express oral or written contract of hire;

12 (B) paid from state funds but whose duties  
13 require that the person work and frequently receive supervision in  
14 a political subdivision of the state;

15 (C) a peace officer employed by a political  
16 subdivision, while the peace officer is exercising authority  
17 granted under:

18 (i) Article 2A.001, Code of Criminal  
19 Procedure; or

20 (ii) Articles 14.03(d) and (g), Code of  
21 Criminal Procedure; or

22 (D) a member of the state military forces, as  
23 defined by Section 437.001, Government Code, who is engaged in  
24 authorized training or duty[~~+~~

25 [~~(E) a Texas Task Force 1 member, as defined by~~  
26 ~~Section 88.301, Education Code, who is activated by the Texas~~  
27 ~~Division of Emergency Management or is injured during training~~

~~sponsored or sanctioned by Texas Task Force 1, or~~  
~~[(F) an intrastate fire mutual aid system team~~  
~~member or a regional incident management team member, as defined by~~  
~~Section 88.126, Education Code, who is activated by the Texas~~  
~~Division of Emergency Management or is injured during training~~  
~~sponsored or sanctioned by the Texas Division of Emergency~~  
~~Management on behalf of an intrastate fire mutual aid system team or~~  
~~a regional incident management team, as applicable].~~

SECTION 6. Chapter 506, Labor Code, is amended by adding  
Section 506.003 to read 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) This section applies only to an  
employee, as defined by Section 501.001, 502.001, 503.001, 504.001,  
or 505.001, who is:

(1) a member of Texas Task Force 1, as defined by  
Section 88.302, 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, 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) For purposes of workers' compensation coverage under  
Chapter 501, 502, 503, 504, or 505, 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

1 in the course and scope of the employee's regular employment with  
2 the employer.

3 SECTION 7. The following provisions are repealed:

- 4 (1) Section 88.126(a)(4), Education Code;
- 5 (2) Section 88.126(b), Education Code;
- 6 (3) Section 88.301(3), Education Code;
- 7 (4) Section 88.303(a), Education Code;
- 8 (5) Sections 408.0445(b) and (c), Labor Code; and
- 9 (6) Sections 501.002(f) and (g), Labor Code.

10 SECTION 8. The change in law made by this Act applies only  
11 to a claim for workers' compensation benefits based on a  
12 compensable injury that occurs on or after the effective date of  
13 this Act. A claim based on a compensable injury that occurs before  
14 the effective date of this Act is governed by the law in effect on  
15 the date the compensable injury occurred, and the former law is  
16 continued in effect for that purpose.

17 SECTION 9. This Act takes effect September 1, 2025.