

By: Schwertner

S.B. No. 2990

A BILL TO BE ENTITLED

AN ACT

relating to removing the requirement of provision of workers' compensation insurance coverage for Texas Task Force 1 members and members of intrastate fire mutual aid system teams and regional incident management teams.

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

SECTION 1. The heading to Section 408.0445, Labor Code, is amended to read as follows:

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

SECTION 2. Section 501.001(5), Labor Code, is amended to read as follows:

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

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

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

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

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

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

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

~~[(E) a Texas Task Force 1 member, as defined by Section 88.301, Education Code, who is activated by the Texas 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 3. Section 501.024, Labor Code, is amended to read as follows:

Sec. 501.024. EXCLUSIONS FROM COVERAGE. (a) The following persons are excluded from coverage as an employee under this chapter:

(1) a person performing personal services for the state as an independent contractor or volunteer;

(2) a person who at the time of injury was performing services for the federal government and who is covered by some form of federal workers' compensation insurance;

(3) a prisoner or inmate of a prison or correctional

1 institution, other than a work program participant participating in  
2 a Texas Correctional Industries contract described by Section  
3 [497.006](#), Government Code;

4 (4) a client or patient of a state agency;

5 (5) a person employed by the Texas Department of  
6 Transportation who is covered under Chapter [505](#);

7 (6) a person employed by The University of Texas  
8 System who is covered by Chapter [503](#); ~~and~~

9 (7) a person employed by The Texas A&M University  
10 System who is covered by Chapter [502](#);

11 (8) a Texas Task Force 1 member who is activated by the  
12 Texas Division of Emergency Management or is injured during  
13 training sponsored or sanctioned by Texas Task Force 1; and

14 (9) an intrastate fire mutual aid system team member  
15 or a regional incident management team member who is activated by  
16 the Texas Division of Emergency Management or is injured during  
17 training sponsored or sanctioned by the Texas Division of Emergency  
18 Management on behalf of an intrastate fire mutual aid system team  
19 or a regional incident management team, as applicable.

20 (b) In this section:

21 (1) "Intrastate fire mutual aid system team" means an  
22 intrastate fire mutual aid system team established under the state  
23 emergency management plan under Section [418.042](#), Government Code,  
24 or the statewide mutual aid program for fire emergencies under  
25 Section [418.110](#), Government Code, and coordinated by the Texas A&M  
26 Forest Service to assist the state with fire suppression and  
27 all-hazard emergency response activities before and following a

1 natural or man-made disaster.

2           (2) "Member" means an individual, other than an  
3 employee of The Texas A&M University System, who has been  
4 officially designated as a member of Texas Task Force 1, an  
5 intrastate fire mutual aid system team, or a regional incident  
6 management team.

7           (3) "Regional incident management team" means a  
8 regional incident management team established under Section  
9 88.122, Education Code, or under the state emergency management  
10 plan under Section 418.042, Government Code, and coordinated by the  
11 Texas A&M Forest Service to assist the state with managing incident  
12 response activities before and following a natural or man-made  
13 disaster.

14           (4) "Texas Task Force 1" means the program of the Texas  
15 Engineering Extension Service of The Texas A&M University System  
16 under Subchapter D, Chapter 88, Education Code, providing training  
17 and responding to assist in search, rescue, and recovery efforts  
18 following natural or man-made disasters.

19           SECTION 4. The following provisions are repealed:

- 20           (1) Section 88.126, Education Code;  
21           (2) Sections 88.301 and 88.303, Education Code;  
22           (3) Sections 408.0445(b) and (c), Labor Code; and  
23           (4) Sections 501.002(f) and (g), Labor Code.

24           SECTION 5. The change in law made by this Act applies only  
25 to a claim for workers' compensation benefits based on a  
26 compensable injury that occurs on or after the effective date of  
27 this Act. A claim based on a compensable injury that occurs before

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1 the effective date of this Act is governed by the law in effect on  
2 the date the compensable injury occurred, and the former law is  
3 continued in effect for that purpose.

4 SECTION 6. This Act takes effect September 1, 2025.