

SENATE AMENDMENTS

2nd Printing

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.

ADOPTED

MAY 28 2025

Latey Law
Secretary of the Senate

By: C. Schmidt

H.B. No. 4464

Substitute the following for H.B. No. 4464:

By: Bill Keller

C.S. H.B. No. 4464

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the provision of workers' compensation insurance
3 coverage for certain Texas Task Force 1 members and intrastate fire
4 mutual aid system team and regional incident management team
5 members, including the removal of coverage for nongovernment
6 members.

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

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

10 (2) "Local government employee member" means a member
11 who is an employee, as defined by Section 504.001, Labor Code, of
12 [employed by] a political subdivision [local government], as
13 defined by that section [Section 102.001, Civil Practice and
14 Remedies Code].

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

17 (e) Service with an intrastate fire mutual aid system team
18 or a regional incident management team by a local government
19 employee member who is activated is considered to be in the course
20 and scope of the employee's regular employment with the political
21 subdivision.

22 SECTION 3. Section 88.301(1), Education Code, is amended to
23 read as follows:

24 (1) "Local government employee member" means a member

1 who is an employee, as defined by Section 504.001, Labor Code, of
2 [employed by] a political subdivision, [local government] as
3 defined by that section [Section 102.001, Civil Practice and
4 Remedies Code].

5 SECTION 4. Section 88.303, Education Code, is amended by
6 adding Subsection (c-1) to read as follows:

7 (c-1) Service with Texas Task Force 1 by a local government
8 employee member who is activated is considered to be in the course
9 and scope of the employee's regular employment with the political
10 subdivision.

11 SECTION 5. The heading to Section 408.0445, Labor Code, is
12 amended to read as follows:

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

16 SECTION 6. Section 501.001(5), Labor Code, is amended to
17 read as follows:

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

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

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

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

27 (i) Article 2A.001, Code of Criminal

1 Procedure; or

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

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

7 ~~[(E) a Texas Task Force 1 member, as defined by
8 Section 88.301, Education Code, who is activated by the Texas
9 Division of Emergency Management or is injured during training
10 sponsored or sanctioned by Texas Task Force 1; or~~

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

18 SECTION 7. Chapter 506, Labor Code, is amended by adding
19 Section 506.003 to read as follows:

20 Sec. 506.003. PROVISIONS APPLICABLE TO MEMBERS OF TEXAS
21 TASK FORCE 1, INTRASTATE FIRE MUTUAL AID SYSTEM TEAM, OR REGIONAL
22 INCIDENT MANAGEMENT TEAM. (a) This section applies only to an
23 employee, as defined by Section 501.001, 502.001, 503.001, 504.001,
24 or 505.001, who is:

25 (1) a member of Texas Task Force 1, as defined by
26 Section 88.302, Education Code, or a member of an intrastate fire
27 mutual aid system team or a regional incident management team, as

1 defined by Section 88.126, Education Code; and

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

6 (b) For purposes of workers' compensation coverage under
7 Chapter 501, service with Texas Task Force 1, an intrastate fire
8 mutual aid system team, or a regional incident management team, as
9 applicable, by an employee, as defined by Section 501.001, is:

10 (1) considered to be in the course and scope of the
11 employee's regular employment; and

12 (2) included in the coverage provided under Chapter
13 501.

14 (c) For purposes of workers' compensation coverage under
15 Chapter 503 or 505, service with Texas Task Force 1, an intrastate
16 fire mutual aid system team, or a regional incident management
17 team, as applicable, by an employee, as defined by Section 503.001
18 or 505.001, as applicable, is:

19 (1) considered to be in the course and scope of the
20 employee's regular employment; and

21 (2) included in the coverage provided under Chapter
22 501 in the same manner as an employee, as defined by Section
23 501.001.

24 (d) For purposes of workers' compensation coverage under
25 Chapter 502, service with Texas Task Force 1, an intrastate fire
26 mutual aid system team, or a regional incident management team, as
27 applicable, by an employee, as defined by Section 502.001, is:

1 (1) considered to be in the course and scope of the
2 employee's regular employment; and

3 (2) included in the coverage provided under Chapter
4 502.

5 (e) For purposes of workers' compensation coverage under
6 Chapter 504, service with Texas Task Force 1, an intrastate fire
7 mutual aid system team, or a regional incident management team, as
8 applicable, by an employee, as defined by Section 504.001, is:

9 (1) considered to be in the course and scope of the
10 employee's regular employment; and

11 (2) included in the coverage provided under Chapter
12 504.

13 SECTION 8. The following provisions are repealed:

14 (1) Section 88.126(a)(4), Education Code;

15 (2) Section 88.126(b), Education Code;

16 (3) Section 88.301(3), Education Code;

17 (4) Section 88.303(a), Education Code;

18 (5) Sections 408.0445(b) and (c), Labor Code; and

19 (6) Sections 501.002(f) and (g), Labor Code.

20 SECTION 9. The change in law made by this Act applies only
21 to a claim for workers' compensation benefits based on a
22 compensable injury that occurs on or after the effective date of
23 this Act. A claim based on a compensable injury that occurs before
24 the effective date of this Act is governed by the law in effect on
25 the date the compensable injury occurred, and the former law is
26 continued in effect for that purpose.

27 SECTION 10. This Act takes effect September 1, 2025.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 29, 2025

TO: Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4464 by González, Mary (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, including the removal of coverage for nongovernment members.), **As Passed 2nd House**

<p>No significant fiscal implication to the State is anticipated.</p>
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It is assumed that any savings associated with the bill would be insignificant

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 454 Department of Insurance, 479 State Office of Risk Management, 575 Texas Division of Emergency Management, 710 Texas A&M University System Administrative and General Offices

LBB Staff: JMc, SD, RStu, JPE, BFa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 22, 2025

TO: Honorable Charles Schwertner, Chair, Senate Committee on Business & Commerce

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4464 by González, Mary (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, including the removal of coverage for nongovernment members.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

It is assumed that any savings associated with the bill would be insignificant

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 454 Department of Insurance, 479 State Office of Risk Management, 575 Texas Division of Emergency Management, 710 Texas A&M University System Administrative and General Offices

LBB Staff: JMc, RStu, JPE, BFa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 18, 2025

TO: Honorable Charles Schwertner, Chair, Senate Committee on Business & Commerce

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4464 by González, Mary (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.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

It is assumed that any savings associated with the bill would be insignificant

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 454 Department of Insurance, 479 State Office of Risk Management, 575 Texas Division of Emergency Management, 710 Texas A&M University System Administrative and General Offices

LBB Staff: JMc, RStu, JPE, BFa

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 28, 2025

TO: Honorable Angie Chen Button, Chair, House Committee on Trade, Workforce & Economic Development

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4464 by González, Mary (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.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
--

It is assumed that any savings associated with the bill would be insignificant

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 454 Department of Insurance, 479 State Office of Risk Management, 575 Texas Division of Emergency Management, 710 Texas A&M University System Administrative and General Offices

LBB Staff: JMc, RStu, BFa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 13, 2025

TO: Honorable Angie Chen Button, Chair, House Committee on Trade, Workforce & Economic Development

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4464 by González, Mary (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.), **As Introduced**

No significant fiscal implication to the State is anticipated.

It is assumed that any savings associated with the bill would be insignificant

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 454 Department of Insurance, 479 State Office of Risk Management, 575 Texas Division of Emergency Management, 710 Texas A&M University System Administrative and General Offices

LBB Staff: JMc, RStu, BFa