

**House Bill 4464**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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.

No equivalent provision.

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

SENATE VERSION (CS)

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 political subdivision ~~[local government]~~, as defined by that section ~~[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 political subdivision.

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

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

SECTION 4. 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

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<u>the local government.</u>	<u>the political subdivision.</u>	

SECTION 4. 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 5. Same as House version.

SECTION 5. 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~~

SECTION 6. Same as House version.

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

SECTION 7. 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, service with Texas Task Force 1, an intrastate fire mutual aid system team, or a regional incident management team, as applicable, by an employee, as defined by Section 501.001, is:  
(1) considered to be in the course and scope of the employee's regular employment; and

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(2) included in the coverage provided under Chapter 501.  
(c) For purposes of workers' compensation coverage under Chapter 503 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, as defined by Section 503.001 or 505.001, as applicable, is:  
(1) considered to be in the course and scope of the employee's regular employment; and  
(2) included in the coverage provided under Chapter 501 in the same manner as an employee, as defined by Section 501.001.  
(d) For purposes of workers' compensation coverage under Chapter 502, service with Texas Task Force 1, an intrastate fire mutual aid system team, or a regional incident management team, as applicable, by an employee, as defined by Section 502.001, is:  
(1) considered to be in the course and scope of the employee's regular employment; and  
(2) included in the coverage provided under Chapter 502.  
(e) For purposes of workers' compensation coverage under Chapter 504, service with Texas Task Force 1, an intrastate fire mutual aid system team, or a regional incident management team, as applicable, by an employee, as defined by Section 504.001, is:  
(1) considered to be in the course and scope of the employee's regular employment; and  
(2) included in the coverage provided under Chapter 504.

SECTION 7. The following provisions are repealed:  
(1) Section 88.126(a)(4), Education Code;  
(2) Section 88.126(b), Education Code;

SECTION 8. Same as House version.

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<p>(3) Section 88.301(3), Education Code; (4) Section 88.303(a), Education Code; (5) Sections 408.0445(b) and (c), Labor Code; and (6) Sections 501.002(f) and (g), Labor Code.</p> <p>SECTION 8. The change in law made by this Act applies only to a claim for workers' compensation benefits based on a compensable injury that occurs on or after the effective date of this Act. A claim based on a compensable injury that occurs before the effective date of this Act is governed by the law in effect on the date the compensable injury occurred, and the former law is continued in effect for that purpose.</p> <p>SECTION 9. This Act takes effect September 1, 2025.</p>	<p>SECTION 9. Same as House version.</p> <p>SECTION 10. Same as House version.</p>	