

1-1 By: Hancock S.B. No. 529
1-2 (In the Senate - Filed February 10, 2015; February 18, 2015,
1-3 read first time and referred to Committee on Natural Resources and
1-4 Economic Development; March 11, 2015, reported favorably by the
1-5 following vote: Yeas 11, Nays 0; March 11, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Fraser	X		
1-9	Estes	X		
1-10	Birdwell	X		
1-11	Hall	X		
1-12	Hancock	X		
1-13	Hinojosa	X		
1-14	Lucio	X		
1-15	Nichols	X		
1-16	Seliger	X		
1-17	Uresti	X		
1-18	Zaffirini	X		

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the eligibility of a landman for unemployment
1-22 compensation.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 201.077, Labor Code, is amended to read
1-25 as follows:

1-26 Sec. 201.077. SERVICE BY LANDMAN. In this subtitle,
1-27 "employment" does not include service performed for a private
1-28 for-profit person by ~~[an individual as]~~ a landman, as defined by
1-29 Section 1702.324, Occupations Code, if:

1-30 (1) ~~the compensation paid to the landman [individual~~
1-31 ~~is engaged primarily in negotiating for the acquisition or~~
1-32 ~~divestiture of mineral rights or negotiating business agreements~~
1-33 ~~that provide for the exploration for or development of minerals;~~

1-34 ~~[(2) substantially all remuneration, paid in cash or~~
1-35 ~~otherwise, for the performance of the service is] directly relates~~
1-36 only to the performance of the service [related to the completion by
1-37 the individual of the specific, contracted-for tasks, rather than
1-38 to the number of hours worked by the individual]; and

1-39 (2) ~~(3)~~ the service performed by the landman
1-40 ~~[individual]~~ is performed under a written contract between the
1-41 landman [individual] and the person for whom the service is
1-42 performed that provides that the landman [individual] is to be
1-43 treated as an independent contractor and not as an employee with
1-44 respect to the service provided under the contract.

1-45 SECTION 2. The change in law made by this Act applies only
1-46 to a claim for unemployment compensation benefits that is filed
1-47 with the Texas Workforce Commission on or after the effective date
1-48 of this Act. A claim filed before the effective date of this Act is
1-49 governed by the law in effect on the date the claim was filed, and
1-50 the former law is continued in effect for that purpose.

1-51 SECTION 3. This Act takes effect immediately if it receives
1-52 a vote of two-thirds of all the members elected to each house, as
1-53 provided by Section 39, Article III, Texas Constitution. If this
1-54 Act does not receive the vote necessary for immediate effect, this
1-55 Act takes effect September 1, 2015.

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