

1-1 By: Oliveira (Senate Sponsor - Hancock) H.B. No. 2061
1-2 (In the Senate - Received from the House April 24, 2017;
1-3 May 1, 2017, read first time and referred to Committee on Business
1-4 & Commerce; May 10, 2017, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 10, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14			X	
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to service and filing requirements for a party seeking
1-20 judicial review in certain workers' compensation cases.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 410.253, Labor Code, is amended to read
1-23 as follows:

1-24 Sec. 410.253. SERVICE[~~;~~ NOTICE]. (a) A party seeking
1-25 judicial review shall simultaneously:

1-26 (1) file a copy of the party's petition with the court;

1-27 (2) serve any opposing party to the suit; and

1-28 (3) provide a copy [~~written notice~~] of the party's
1-29 petition [~~suit or notice of appeal~~] to the division.

1-30 (b) A party may not seek judicial review under Section
1-31 410.251 unless the party has provided the copy [~~written notice~~] of
1-32 the petition [~~suit~~] to the division under Subsection (a)(3) [~~as~~
1-33 ~~required by this section~~].

1-34 SECTION 2. Section 410.258, Labor Code, is amended by
1-35 amending Subsection (a) and adding Subsections (a-1), (a-2), and
1-36 (a-3) to read as follows:

1-37 (a) The party who initiated a proceeding under this
1-38 subchapter or Subchapter G must file any proposed judgment or
1-39 settlement [~~made by the parties to the proceeding~~], including a
1-40 proposed default judgment or proposed agreed judgment, with the
1-41 division not later than the 30th day before the date on which the
1-42 court is scheduled to enter the judgment or approve the
1-43 settlement.

1-44 (a-1) If the terms of the proposed settlement or proposed
1-45 agreed judgment, including all payments to be made, are not
1-46 described in the proposed settlement or proposed agreed judgment,
1-47 the party must also file with the division at the time of filing the
1-48 proposed settlement or proposed agreed judgment a separate document
1-49 that fully describes the terms of the proposed settlement or
1-50 proposed agreed judgment.

1-51 (a-2) The proposed [~~judgment or~~] settlement or proposed
1-52 agreed judgment and any separate document described by Subsection
1-53 (a-1) must be mailed to the division by certified mail, return
1-54 receipt requested.

1-55 (a-3) The separate document filed with the division under
1-56 Subsection (a-1) is not subject to disclosure under Chapter 552,
1-57 Government Code.

1-58 SECTION 3. Section 410.253, Labor Code, as amended by this
1-59 Act, applies to a petition for judicial review filed on or after the
1-60 effective date of this Act.

1-61 SECTION 4. Section 410.258, Labor Code, as amended by this

2-1 Act, applies to a proposed judgment or settlement related to a
2-2 proceeding under Subchapter F or G, Chapter 410, Labor Code,
2-3 initiated on or after the effective date of this Act.
2-4 SECTION 5. This Act takes effect September 1, 2017.

2-5

* * * * *