

1-1 By: Paxton S.B. No. 2077  
 1-2 (In the Senate - Filed March 7, 2019; March 21, 2019, read  
 1-3 first time and referred to Committee on Natural Resources &  
 1-4 Economic Development; April 15, 2019, reported favorably by the  
 1-5 following vote: Yeas 9, Nays 0; April 15, 2019, 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	X			
1-18	X			

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

1-21 relating to a redetermination of a preliminary wage determination  
 1-22 order by the Texas Workforce Commission.

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

1-24 SECTION 1. Subchapter D, Chapter 61, Labor Code, is amended  
 1-25 by adding Section 61.0521 to read as follows:

1-26 Sec. 61.0521. REDETERMINATION BY EXAMINER. (a) If an  
 1-27 examiner discovers an error in connection with a preliminary wage  
 1-28 determination order or discovers additional information not  
 1-29 previously available, the examiner, within the period specified by  
 1-30 Section 61.054, may reconsider and redetermine the order.

1-31 (b) An examiner's redetermination of a preliminary wage  
 1-32 determination order replaces the original order and becomes final  
 1-33 unless either party requests a hearing under Section 61.054.

1-34 SECTION 2. Sections 61.054 and 61.055, Labor Code, are  
 1-35 amended to read as follows:

1-36 Sec. 61.054. REQUEST FOR HEARING ON PRELIMINARY ORDER.

1-37 (a) Either party may request a hearing before a wage claim appeal  
 1-38 tribunal to appeal a preliminary wage determination or  
 1-39 redetermination order made under Section 61.052 or 61.0521.

1-40 (b) The request for hearing must be made in writing not  
 1-41 later than the 21st day after the date the commission examiner mails  
 1-42 the notice of the preliminary wage determination or redetermination  
 1-43 order, as applicable.

1-44 Sec. 61.055. PRELIMINARY ORDER FINAL IF HEARING NOT  
 1-45 REQUESTED. If neither party requests a hearing to appeal a  
 1-46 preliminary wage determination or redetermination order within the  
 1-47 period prescribed by Section 61.054, the order becomes the final  
 1-48 order of the commission for all purposes, and neither party is  
 1-49 entitled to judicial review of the order under this subchapter.

1-50 SECTION 3. The changes in law made by this Act apply to a  
 1-51 wage claim filed under Subchapter D, Chapter 61, Labor Code, on or  
 1-52 after the effective date of this Act. A wage claim filed before  
 1-53 that date is governed by the law in effect on the date the claim was  
 1-54 filed, and the former law is continued in effect for that purpose.

1-55 SECTION 4. This Act takes effect September 1, 2019.

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