

1-1 By: Landgraf, et al. (Senate Sponsor - Sparks) H.B. No. 1306
1-2 (In the Senate - Received from the House May 12, 2025;
1-3 May 12, 2025, read first time and referred to Committee on Criminal
1-4 Justice; May 21, 2025, reported favorably by the following vote:
1-5 Yeas 6, Nays 0; May 21, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Flores	X		
1-9	Parker	X		
1-10	Hagenbuch	X		
1-11	Hinojosa of Hidalgo	X		
1-12	Huffman		X	
1-13	King	X		
1-14	Miles	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to certain claims for benefits or compensation by a death
1-18 investigation professional.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Sections 607.001, 607.002, and 607.003,
1-21 Government Code, are amended to read as follows:

1-22 Sec. 607.001. DEFINITIONS [DEFINITION]. (a) In this
1-23 chapter, "public safety employee" means a peace officer, fire
1-24 fighter, detention officer, county jailer, or emergency medical
1-25 services employee of this state or a political subdivision of this
1-26 state.

1-27 (b) In this subchapter:

1-28 (1) "Death investigation professional" means:

1-29 (A) a justice of the peace;

1-30 (B) a death investigator employed under Article
1-31 49.23, Code of Criminal Procedure; or

1-32 (C) a medical examiner or an employee of the
1-33 medical examiner's office employed under Section 3, Article 49.25,
1-34 Code of Criminal Procedure.

1-35 (2) "Inquest" has the meaning assigned by Article
1-36 49.01, Code of Criminal Procedure.

1-37 Sec. 607.002. REIMBURSEMENT. (a) A public safety employee
1-38 or death investigation professional who is exposed to a contagious
1-39 disease is entitled to reimbursement [~~from the employing~~
1-40 ~~governmental entity~~] for reasonable medical expenses incurred in
1-41 treatment for the prevention of the disease if:

1-42 (1) the disease is not an "ordinary disease of life" as
1-43 that term is used in the context of a workers' compensation claim;

1-44 (2) the exposure to the disease occurs:

1-45 (A) during the course of the employment for a
1-46 public safety employee; or

1-47 (B) while conducting or assisting in an inquest
1-48 for a death investigation professional; and

1-49 (3) the employee or professional requires
1-50 preventative medical treatment because of exposure to the disease.

1-51 (b) The governmental entity that employs the public safety
1-52 employee is responsible for reimbursing the employee for medical
1-53 expenses described by Subsection (a).

1-54 (c) The county served by the death investigation
1-55 professional is responsible for reimbursing the professional for
1-56 medical expenses described by Subsection (a).

1-57 Sec. 607.003. PHYSICIAN OF CHOICE. A public safety
1-58 employee or death investigation professional who is exposed to a
1-59 disease described by Section 607.002 is entitled to be treated for
1-60 the prevention of that disease by the physician of the employee's or
1-61 professional's choice.

2-1 SECTION 2. Section 607.004, Government Code, is amended by
 2-2 adding Subsection (a-1) to read as follows:

2-3 (a-1) A death investigation professional is entitled to
 2-4 preventative immunization for any disease to which the death
 2-5 investigation professional may be exposed in conducting or
 2-6 assisting in an inquest and for which immunization is possible.

2-7 SECTION 3. Section 615.003, Government Code, is amended to
 2-8 read as follows:

2-9 Sec. 615.003. APPLICABILITY. This chapter applies only to
 2-10 eligible survivors of the following individuals:

2-11 (1) an individual:
 2-12 (A) elected, appointed, or employed as a peace
 2-13 officer by the state or a political subdivision of the state under
 2-14 Article 2A.001, Code of Criminal Procedure, or other law; or

2-15 (B) employed as a peace officer by a private
 2-16 institution of higher education, including a private junior
 2-17 college, that is located in this state under Section 51.212,
 2-18 Education Code;

2-19 (2) a paid probation officer appointed by the director
 2-20 of a community supervision and corrections department who has the
 2-21 duties set out in Section 76.002 and the qualifications set out in
 2-22 Section 76.005, or who was appointed in accordance with prior law;

2-23 (3) a parole officer employed by the Texas Department
 2-24 of Criminal Justice who has the duties set out in Section 508.001
 2-25 and the qualifications set out in Section 508.113 or in prior law;

2-26 (4) a paid jailer;

2-27 (5) a member of an organized police reserve or
 2-28 auxiliary unit who regularly assists peace officers in enforcing
 2-29 criminal laws;

2-30 (6) a member of the class of employees of the
 2-31 correctional institutions division formally designated as
 2-32 custodial personnel under Section 615.006 by the Texas Board of
 2-33 Criminal Justice or its predecessor in function;

2-34 (7) a jailer or guard of a county jail who is appointed
 2-35 by the sheriff and who:

2-36 (A) performs a security, custodial, or
 2-37 supervisory function over the admittance, confinement, or
 2-38 discharge of prisoners; and

2-39 (B) is certified by the Texas Commission on Law
 2-40 Enforcement;

2-41 (8) a juvenile correctional employee of the Texas
 2-42 Juvenile Justice Department;

2-43 (9) an employee of the Health and Human Services
 2-44 Commission [~~Department of Aging and Disability Services~~] or
 2-45 Department of State Health Services who:

2-46 (A) works at the department's maximum security
 2-47 unit; or

2-48 (B) performs on-site services for the Texas
 2-49 Department of Criminal Justice;

2-50 (10) an individual who is employed by the state or a
 2-51 political or legal subdivision and is subject to certification by
 2-52 the Texas Commission on Fire Protection;

2-53 (11) an individual employed by the state or a
 2-54 political or legal subdivision whose principal duties are aircraft
 2-55 crash and rescue fire fighting;

2-56 (12) a member of an organized volunteer fire-fighting
 2-57 unit that:

2-58 (A) renders fire-fighting services without
 2-59 remuneration; and

2-60 (B) conducts a minimum of two drills each month,
 2-61 each two hours long;

2-62 (13) an individual who:

2-63 (A) performs emergency medical services or
 2-64 operates an ambulance;

2-65 (B) is employed by a political subdivision of the
 2-66 state or is an emergency medical services volunteer as defined by
 2-67 Section 773.003, Health and Safety Code; and

2-68 (C) is qualified as an emergency care attendant
 2-69 or at a higher level of training under Section 773.046, 773.047,

3-1 773.048, 773.049, or 773.0495, Health and Safety Code;
 3-2 (14) an individual who is employed or formally
 3-3 designated as a chaplain for:
 3-4 (A) an organized volunteer fire-fighting unit or
 3-5 other fire department of this state or of a political subdivision of
 3-6 this state;
 3-7 (B) a law enforcement agency of this state or of a
 3-8 political subdivision of this state; or
 3-9 (C) the Texas Department of Criminal Justice;
 3-10 (15) an individual who is employed by the state or a
 3-11 political subdivision of the state and who is considered by the
 3-12 governmental employer to be a trainee for a position otherwise
 3-13 described by this section;
 3-14 (16) an individual who is employed by the Department
 3-15 of Public Safety and, as certified by the director, is:
 3-16 (A) deployed into the field in direct support of
 3-17 a law enforcement operation, including patrol, investigative,
 3-18 search and rescue, crime scene, on-site communications, or special
 3-19 operations; and
 3-20 (B) given a special assignment in direct support
 3-21 of operations relating to organized crime, criminal interdiction,
 3-22 border security, counterterrorism, intelligence, traffic
 3-23 enforcement, emergency management, regulatory services, or special
 3-24 investigations; ~~or~~
 3-25 (17) an individual who is employed by the Parks and
 3-26 Wildlife Department and, as certified by the executive director of
 3-27 the Parks and Wildlife Department, is:
 3-28 (A) deployed into the field in direct support of
 3-29 a law enforcement operation, including patrol, investigative,
 3-30 search and rescue, crime scene, on-site communications, or special
 3-31 operations; and
 3-32 (B) given a special assignment in direct support
 3-33 of operations relating to organized crime, criminal interdiction,
 3-34 border security, counterterrorism, intelligence, traffic
 3-35 enforcement, emergency management, regulatory services, or special
 3-36 investigations;
 3-37 (18) a justice of the peace;
 3-38 (19) a death investigator employed under Article
 3-39 49.23, Code of Criminal Procedure; or
 3-40 (20) a medical examiner or an employee of the medical
 3-41 examiner's office employed under Section 3, Article 49.25, Code of
 3-42 Criminal Procedure.
 3-43 SECTION 4. Subchapter C, Chapter 504, Labor Code, is
 3-44 amended by adding Section 504.057 to read as follows:
 3-45 Sec. 504.057. EXPEDITED PROVISION OF MEDICAL BENEFITS FOR
 3-46 CERTAIN INJURIES SUSTAINED BY CERTAIN DEATH INVESTIGATION
 3-47 PROFESSIONALS IN COURSE AND SCOPE OF EMPLOYMENT. (a) In this
 3-48 section, "death investigation professional" means:
 3-49 (1) a justice of the peace;
 3-50 (2) a death investigator employed under Article 49.23,
 3-51 Code of Criminal Procedure; or
 3-52 (3) a medical examiner or an employee of the medical
 3-53 examiner's office employed under Section 3, Article 49.25, Code of
 3-54 Criminal Procedure.
 3-55 (b) This section applies only to a death investigation
 3-56 professional who sustains a serious bodily injury, as defined by
 3-57 Section 1.07, Penal Code, in the course and scope of employment.
 3-58 (c) The county, division, and insurance carrier shall
 3-59 accelerate and give priority to an injured death investigation
 3-60 professional's claim for medical benefits, including all health
 3-61 care required to cure or relieve the effects naturally resulting
 3-62 from a compensable injury described by Subsection (b).
 3-63 (d) The division shall accelerate, under rules adopted by
 3-64 the commissioner of workers' compensation, a contested case hearing
 3-65 requested by or an appeal submitted by a death investigation
 3-66 professional regarding the denial of a claim for medical benefits,
 3-67 including all health care required to cure or relieve the effects
 3-68 naturally resulting from a compensable injury described by
 3-69 Subsection (b). The death investigation professional shall provide

4-1 notice to the division and independent review organization that the
4-2 contested case or appeal involves a death investigation
4-3 professional.

4-4 (e) Except as otherwise provided by this section, a death
4-5 investigation professional is entitled to review of a medical
4-6 dispute in the manner provided by Section 504.054.

4-7 SECTION 5. Section 415.021(c-2), Labor Code, is amended to
4-8 read as follows:

4-9 (c-2) In determining whether to assess an administrative
4-10 penalty involving a claim in which the insurance carrier provided
4-11 notice under Section 409.021(a-3), the commissioner shall consider
4-12 whether:

4-13 (1) the employee cooperated with the insurance
4-14 carrier's investigation of the claim;

4-15 (2) the employee timely authorized access to the
4-16 applicable medical records before the insurance carrier's deadline
4-17 to:

4-18 (A) begin payment of benefits; or

4-19 (B) notify the division and the employee of the
4-20 insurance carrier's refusal to pay benefits; and

4-21 (3) the insurance carrier conducted an investigation
4-22 of the claim, applied the statutory presumptions under Subchapter
4-23 B, Chapter 607, Government Code, and expedited medical benefits
4-24 under Section 504.055 or 504.057.

4-25 SECTION 6. The changes in law made by this Act apply to a
4-26 claim for benefits or compensation pending on or filed on or after
4-27 the effective date of this Act. A claim for benefits or
4-28 compensation filed before that date, other than a claim pending on
4-29 that date, is governed by the law in effect on the date the claim was
4-30 made, and the former law is continued in effect for that purpose.

4-31 SECTION 7. This Act takes effect September 1, 2025.

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