

Chapter 271

H.B. No. 2061

AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

Sec. 410.253. SERVICE[~~, NOTICE~~]. (a) A party seeking judicial review shall simultaneously:

- (1) file a copy of the party's petition with the court;
- (2) serve any opposing party to the suit; and
- (3) provide a copy [~~written notice~~] of the party's petition [~~suit or notice of appeal~~] to the division.

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

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

(a) The party who initiated a proceeding under this subchapter or Subchapter G must file any proposed judgment or settlement [~~made by the parties to the proceeding~~], including a proposed default judgment or proposed agreed judgment, with the division not later than the 30th day before the date on which the

1 court is scheduled to enter the judgment or approve the
2 settlement.

3 (a-1) If the terms of the proposed settlement or proposed
4 agreed judgment, including all payments to be made, are not
5 described in the proposed settlement or proposed agreed judgment,
6 the party must also file with the division at the time of filing the
7 proposed settlement or proposed agreed judgment a separate document
8 that fully describes the terms of the proposed settlement or
9 proposed agreed judgment.

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

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

17 SECTION 3. Section 410.253, Labor Code, as amended by this
18 Act, applies to a petition for judicial review filed on or after the
19 effective date of this Act.

20 SECTION 4. Section 410.258, Labor Code, as amended by this
21 Act, applies to a proposed judgment or settlement related to a
22 proceeding under Subchapter F or G, Chapter 410, Labor Code,
23 initiated on or after the effective date of this Act.

24 SECTION 5. This Act takes effect September 1, 2017.

Don Patenaude
President of the Senate

Joe Straus
Speaker of the House

I certify that H.B. No. 2061 was passed by the House on April 20, 2017, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Robert Honey
Chief Clerk of the House

I certify that H.B. No. 2061 was passed by the Senate on May 12, 2017, by the following vote: Yeas 31, Nays 0.

Lately Spaw
Secretary of the Senate

APPROVED: 5-29-2017

Date

Greg Abbott
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:00 PM O'CLOCK

[Signature]
MAY 29 2017

Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 2, 2017

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2061 by Oliveira (Relating to service and filing requirements for a party seeking judicial review in certain workers' compensation cases.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Labor Code relating to service and filing requirements for a party seeking judicial review in certain workers' compensation cases. Based on information provided by the Texas Department of Insurance, Office of Court Administration, and State Office of Risk Management, this analysis assumes the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 454
Department of Insurance, 479 State Office of Risk Management

LBB Staff: UP, ASa, CL, EH, CP, GDz

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 6, 2017

TO: Honorable René Oliveira, Chair, House Committee on Business & Industry

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2061 by Oliveira (Relating to service and filing requirements for a party seeking judicial review in certain workers' compensation cases.), **As Introduced**

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