

## **BILL ANALYSIS**

H.B. 1456  
By: Smithee  
Business & Industry  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties cite recent Texas court rulings suggesting that a requirement in the Texas Workers' Compensation Act for a person charged with an administrative violation and assessed an administrative penalty under the act to secure the amount of the penalty pending judicial review of the decision may pose a financial barrier to court access. H.B. 1456 seeks to remove this barrier by eliminating the requirement.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1456 amends the Labor Code to remove the requirement that, during the pendency of judicial review of a decision issued by the State Office of Administrative Hearings following a contested case hearing involving a person charged with an administrative violation under the Texas Workers' Compensation Act, such a person on whom an administrative penalty has been assessed forward the amount of the penalty to the workers' compensation division of the Texas Department of Insurance for deposit in an escrow account or post with the division a bond for the amount of the penalty effective until all judicial review of the determination is final.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.