

CHAPTER 645

S.B. No. 910

An Act relating to the deletion of budget brackets from Section 2, Chapter 88, Acts of the 63rd Legislature, Regular Session, 1973 (Article 8309h, Vernon's Texas Civil Statutes).

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 2, Chapter 88, Acts of the 63rd Legislature, Regular Session, 1973 (Article 8309h, Vernon's Texas Civil Statutes), is amended as follows:

"Section 2. SELF-INSURANCE; EFFECTIVE DATE; NOTICE TO BOARD AND EMPLOYEES; MUNICIPAL UTILITIES. (a) All political subdivisions of this state shall become either self-insurers, provide insurance under workmen's compensation insurance contracts or policies, or enter into interlocal agreements with other political subdivisions providing for self-insurance, extending workmen's compensation benefits to their employees.

"(b) ~~[Subsection (a) of this section and Sections 1 and 4, Article 8306, Revised Civil Statutes of Texas, 1925, as amended or as may hereafter be amended, shall not apply to political subdivisions having an annual budget within the amounts indicated below, until the effective date shown for such budget bracket:~~

| <u>Budget Bracket</u> | <u>Effective Date</u> |
|------------------------|-----------------------|
| \$0 to \$250,000 | June 30, 1977 |
| \$250,001 to \$500,000 | June 30, 1976 |
| \$500,001 to \$750,000 | June 30, 1975 |

"[(e)] Each political subdivision shall notify the board stating the method by which their employees will receive benefits, the approximate number of employees covered, and the estimated amount of payroll.

"(c) ~~[(d)]~~ Notice shall also be given to the employees of a political subdivision of the provision so made for benefits and the effective date thereof; and employees of a political subdivision shall be conclusively deemed to have accepted the compensation provisions in lieu of common-law or statutory liability or cause of action, if any, for injuries received in the course of employment or death resulting from injuries so received.

"(d) ~~[(e)]~~ In cities, towns, or villages in which a public utility or utilities is operated by a board of trustees set up and appointed in accordance with Article 1115, Revised Civil Statutes of Texas, 1925, or any similar law, such board of trustees shall have all of the powers and authority of the governing body of the city with reference to the adoption of a program of self-insurance under this article or in the taking out of a policy or policies of workmen's compensation insurance hereunder, and all funds set aside or expended for such purposes shall be considered operating expenses of the municipal utilities. All funds set aside or paid by such boards of trustees in connection with self-insurance or for premiums on policies of insurance shall be paid out of the revenues of the utilities operated by the board of trustees and neither the provisions for self-insurance nor the obligations incurred under insurance policies shall be general liabilities of the city, town, or village, but shall constitute only obligations payable out of the revenues. The boards of trustees shall be authorized to adopt all resolutions, give all notices and to do all things

concerning workmen's compensation under this article with reference to employees employed by the boards of trustees which the governing body of the city, town, or village would be authorized to do with reference to other city employees, or groups of employees."

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on May 2, 1985, by the following vote: Yeas 31, Nays 0; passed the House on May 17, 1985, by the following vote: Yeas 134, Nays 0, one present not voting.

Approved: June 14, 1985

Effective: Immediately