

1-1 By: Huberty, Hunter (Senate Sponsor - Creighton) H.B. No. 3150
1-2 (In the Senate - Received from the House May 11, 2015;
1-3 May 11, 2015, read first time and referred to Committee on Natural
1-4 Resources and Economic Development; May 18, 2015, rereferred to
1-5 Committee on Business and Commerce; May 24, 2015, reported
1-6 favorably by the following vote: Yeas 7, Nays 1; May 24, 2015, sent
1-7 to printer.)

1-8 COMMITTEE VOTE

1-9		Yea	Nay	Absent	PNV
1-10	Eltife	X			
1-11	Creighton	X			
1-12	Ellis		X		
1-13	Huffines	X			
1-14	Schwertner			X	
1-15	Seliger	X			
1-16	Taylor of Galveston	X			
1-17	Watson	X			
1-18	Whitmire	X			

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

1-21 relating to the calculation of taxable wages paid by a professional
1-22 employer organization for purposes of the Texas Unemployment
1-23 Compensation Act.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 91.044, Labor Code, is amended by
1-26 amending Subsection (a) and adding Subsections (a-1) and (a-2) to
1-27 read as follows:

1-28 (a) A license holder is the employer of a covered employee
1-29 for purposes of Subtitle A, Title 4, and, except for wages subject
1-30 to Section 91.032(c), for purposes of Chapter 61.

1-31 (a-1) A license holder may, in a calendar year during which
1-32 an employee becomes a covered employee of the license holder, apply
1-33 toward the maximum amount of taxable wages established in Section
1-34 201.082(1) any wages paid to the employee in that calendar year by:

1-35 (1) the client; or

1-36 (2) another license holder under a prior professional
1-37 employer services agreement with that client.

1-38 (a-2) In addition to any other reports required to be filed
1-39 by law, a license holder shall report quarterly to the Texas
1-40 Workforce Commission on a form prescribed by the Texas Workforce
1-41 Commission the name, address, telephone number, federal income tax
1-42 identification number, and classification code according to the
1-43 North American Industry Classification System [as described in the
1-44 "Standard Industrial Classification Manual" published by the
1-45 United States Office of Management and Budget] of each client.

1-46 SECTION 2. Section 201.101, Labor Code, is amended to read
1-47 as follows:

1-48 Sec. 201.101. CONFORMITY WITH FEDERAL STATUTES. If the
1-49 United States secretary of labor holds that Section 91.044(a-1) or
1-50 a provision of this subtitle does not conform with a federal
1-51 statute, the commission may administer Section 91.044(a-1) or this
1-52 subtitle, as applicable, to conform with the federal statute until
1-53 the legislature meets in its next session and has an opportunity to
1-54 amend the applicable law [this subtitle].

1-55 SECTION 3. The change in law made by this Act applies only
1-56 to contributions and withholdings required under Subtitle A, Title
1-57 4, Labor Code, due for employment services rendered on or after
1-58 January 1, 2016.

1-59 SECTION 4. This Act takes effect September 1, 2015.

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