

By: Geren

H.B. No. 2469

A BILL TO BE ENTITLED

AN ACT

relating to the administration of certain functions relating to state employee leave.

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

SECTION 1. Section 661.202(j), Government Code, is amended to read as follows:

(j) A state agency shall maintain a written statement covering the policies and procedures for an extension of leave under Subsection (i) and shall make the statement available to all agency employees. The state agency shall provide a copy of the statement to the comptroller [~~state auditor~~] on request.

SECTION 2. Section 661.9041(c), Government Code, is amended to read as follows:

(c) The comptroller [~~state auditor~~] shall adopt guidelines to assist state agencies in determining the amount of emergency leave to grant to an employee under this section as differential pay.

SECTION 3. Section 661.923(c), Government Code, is amended to read as follows:

(c) Not later than the last day of each quarter of a state fiscal year, an agency shall submit a report to the comptroller [~~state auditor's office~~] and the Legislative Budget Board that includes the name of each agency employee described by Subsection (a)(1) who has been granted 168 hours or more of leave under this

1 section during that fiscal quarter. The report must include, for
2 each employee, a brief statement as to the reason the employee
3 remains on leave.

4 SECTION 4. Chapter 661, Government Code, is amended by
5 adding Subchapter AA to read as follows:

6 SUBCHAPTER AA. COMPTROLLER RULES AND REPORTS ON CERTAIN LEAVE

7 PROVISIONS FOR STATE EMPLOYEES

8 Sec. 661.951. RULES. The comptroller may adopt rules,
9 procedures, and guidelines to administer Subchapters B, C, D, E, F,
10 G, and Z.

11 Sec. 661.952. REPORT ON EXCEPTIONS. The comptroller shall
12 report to the governor and the legislature any state agency or
13 institution of higher education that practices exceptions to the
14 laws described by Section 661.951.

15 SECTION 5. Sections 661.038, 661.068, 661.094, and 661.151,
16 Government Code, are repealed.

17 SECTION 6. (a) Not later than September 10, 2023, the
18 following are transferred from the state auditor to the comptroller
19 of public accounts:

20 (1) the powers and duties of the state auditor
21 relating to leave for state employees under Chapter 661, Government
22 Code; and

23 (2) all property and records in the custody of the
24 state auditor that are related to a power or duty transferred under
25 this subsection and all funds appropriated by the legislature for
26 that power or duty.

27 (b) A rule, form, policy, procedure, or decision of the

1 state auditor that is related to a power or duty described by
2 Subsection (a) of this section continues in effect as a rule, form,
3 policy, procedure, or decision of the comptroller of public
4 accounts until superseded by an act of the comptroller of public
5 accounts.

6 (c) A reference in law or administrative rule to the state
7 auditor that relates to a power or duty transferred under
8 Subsection (a) of this section means the comptroller of public
9 accounts.

10 SECTION 7. As soon as practicable after the effective date
11 of this Act, but not later than September 10, 2023, the state
12 auditor and the comptroller of public accounts shall enter into a
13 memorandum of understanding that:

14 (1) identifies in detail the applicable powers and
15 duties that are transferred by this Act; and

16 (2) establishes a plan for the identification and
17 transfer of the records, property, and unspent appropriations of
18 the state auditor that are used for purposes of the state auditor's
19 powers and duties that are transferred by this Act.

20 SECTION 8. This Act takes effect September 1, 2023.