

1-1 By: Geren (Senate Sponsor - Hancock) H.B. No. 2469
 1-2 (In the Senate - Received from the House April 24, 2023;
 1-3 April 24, 2023, read first time and referred to Committee on
 1-4 Business & Commerce; May 10, 2023, reported favorably by the
 1-5 following vote: Yeas 11, Nays 0; May 10, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

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

1-21 relating to the administration of certain functions relating to
 1-22 state employee leave.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 661.202(j), Government Code, is amended
 1-25 to read as follows:

1-26 (j) A state agency shall maintain a written statement
 1-27 covering the policies and procedures for an extension of leave
 1-28 under Subsection (i) and shall make the statement available to all
 1-29 agency employees. The state agency shall provide a copy of the
 1-30 statement to the comptroller [~~state auditor~~] on request.

1-31 SECTION 2. Section 661.9041(c), Government Code, is amended
 1-32 to read as follows:

1-33 (c) The comptroller [~~state auditor~~] shall adopt guidelines
 1-34 to assist state agencies in determining the amount of emergency
 1-35 leave to grant to an employee under this section as differential
 1-36 pay.

1-37 SECTION 3. Section 661.923(c), Government Code, is amended
 1-38 to read as follows:

1-39 (c) Not later than the last day of each quarter of a state
 1-40 fiscal year, an agency shall submit a report to the comptroller
 1-41 [~~state auditor's office~~] and the Legislative Budget Board that
 1-42 includes the name of each agency employee described by Subsection
 1-43 (a)(1) who has been granted 168 hours or more of leave under this
 1-44 section during that fiscal quarter. The report must include, for
 1-45 each employee, a brief statement as to the reason the employee
 1-46 remains on leave.

1-47 SECTION 4. Chapter 661, Government Code, is amended by
 1-48 adding Subchapter AA to read as follows:

1-49 SUBCHAPTER AA. COMPTROLLER RULES AND REPORTS ON CERTAIN LEAVE
 1-50 PROVISIONS FOR STATE EMPLOYEES

1-51 Sec. 661.951. RULES. The comptroller may adopt rules,
 1-52 procedures, and guidelines to administer Subchapters B, C, D, E, F,
 1-53 G, and Z.

1-54 Sec. 661.952. REPORT ON EXCEPTIONS. The comptroller shall
 1-55 report to the governor and the legislature any state agency or
 1-56 institution of higher education that practices exceptions to the
 1-57 laws described by Section 661.951.

1-58 SECTION 5. Sections 661.038, 661.068, 661.094, and 661.151,
 1-59 Government Code, are repealed.

1-60 SECTION 6. (a) Not later than September 10, 2023, the
 1-61 following are transferred from the state auditor to the comptroller

2-1 of public accounts:

2-2 (1) the powers and duties of the state auditor
2-3 relating to leave for state employees under Chapter 661, Government
2-4 Code; and

2-5 (2) all property and records in the custody of the
2-6 state auditor that are related to a power or duty transferred under
2-7 this subsection and all funds appropriated by the legislature for
2-8 that power or duty.

2-9 (b) A rule, form, policy, procedure, or decision of the
2-10 state auditor that is related to a power or duty described by
2-11 Subsection (a) of this section continues in effect as a rule, form,
2-12 policy, procedure, or decision of the comptroller of public
2-13 accounts until superseded by an act of the comptroller of public
2-14 accounts.

2-15 (c) A reference in law or administrative rule to the state
2-16 auditor that relates to a power or duty transferred under
2-17 Subsection (a) of this section means the comptroller of public
2-18 accounts.

2-19 SECTION 7. As soon as practicable after the effective date
2-20 of this Act, but not later than September 10, 2023, the state
2-21 auditor and the comptroller of public accounts shall enter into a
2-22 memorandum of understanding that:

2-23 (1) identifies in detail the applicable powers and
2-24 duties that are transferred by this Act; and

2-25 (2) establishes a plan for the identification and
2-26 transfer of the records, property, and unspent appropriations of
2-27 the state auditor that are used for purposes of the state auditor's
2-28 powers and duties that are transferred by this Act.

2-29 SECTION 8. This Act takes effect September 1, 2023.

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