

BILL ANALYSIS

S.B. 817
By: Averitt
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Most school district employees have more than one type of leave available for them to use. Currently, employees of a school district are not authorized by law to choose which type of leave to take first.

As proposed, this bill prohibits a school district from restricting the order in which an employee is authorized to use personal leave and entitles school district employees to use the leave in any order to the extent that use is appropriate to the type of leave.

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

Note: Unless otherwise specified, statutory references in this BILL ANALYSIS are to the Education Code.

The bill amends Section 22.003, Education Code, by amending Subsection (a) and adding Subsection (f) to read as follows:

(a) A state minimum personal leave program consisting of five days per year personal leave with no limit on accumulation and transferable among districts shall be provided for school district employees. School districts may provide additional personal leave beyond this minimum. The board of trustees of a school district may adopt a policy governing an employee's use of personal leave granted under this subsection, except that the policy may not restrict: (1) the purposes for which the leave may be used; or (2) the order in which an employee may use the state minimum personal leave and any additional personal leave provided by the school district.

(f) A public school employee who retains any sick leave accumulated under former Section 13.904(a), as that section existed on January 1, 1995, is entitled to use the sick leave provided under that section or the personal leave provided under Subsection (a) in any order to the extent that the leave the employee uses is appropriate to the purpose of the leave.

The bill provides that the Act applies beginning with the 2007-2008 school year.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.