

BILL ANALYSIS

Senate Research Center
81R2342 EAH-D

S.B. 522
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Most school employees have more than one type of leave available to them as a result of the state minimum sick leave program that existed prior to September 1, 1995, the state minimum personal leave programs that has existed since September 1, 1995, and leave granted in addition to the state minimum program in local district policy. Educators currently do not have statutory authority to choose which leave to take among the leave options available. Depending upon the employee's circumstances and plans, using one type of leave before using a different type of leave may be more advantageous.

As proposed, S.B. 522 authorizes public school employees to determine which type of leave to use first, so long as the leave designated is available for the purpose of that leave.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 22.003, Education Code, by amending Subsection (a) and adding Subsection (f), as follows:

(a) Authorizes the board of trustees of a school district to adopt a policy governing an employee's use of personal leave granted under this subsection, except that the policy is prohibited from restricting the order in which an employee is authorized to use the state minimum personal leave and any additional personal leave provided by the school district. Makes nonsubstantive changes.

(f) Provides that 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.

SECTION 2. Provides that this Act applies beginning with the 2009-2010 school year.

SECTION 3. Effective date: upon passage or September 1, 2009.