

1-1 By: Averitt S.B. No. 522  
1-2 (In the Senate - Filed January 23, 2009; February 17, 2009,  
1-3 read first time and referred to Committee on Education;  
1-4 March 13, 2009, reported favorably by the following vote: Yeas 8,  
1-5 Nays 0; March 13, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the use of personal leave by a public school employee.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 22.003, Education Code, is amended by  
1-11 amending Subsection (a) and adding Subsection (f) to read as  
1-12 follows:

1-13 (a) A state minimum personal leave program consisting of  
1-14 five days per year personal leave with no limit on accumulation and  
1-15 transferable among districts shall be provided for school district  
1-16 employees. School districts may provide additional personal leave  
1-17 beyond this minimum. The board of trustees of a school district may  
1-18 adopt a policy governing an employee's use of personal leave  
1-19 granted under this subsection, except that the policy may not  
1-20 restrict:

1-21 (1) the purposes for which the leave may be used; or  
1-22 (2) the order in which an employee may use the state  
1-23 minimum personal leave and any additional personal leave provided  
1-24 by the school district.

1-25 (f) A public school employee who retains any sick leave  
1-26 accumulated under former Section 13.904(a), as that section existed  
1-27 on January 1, 1995, is entitled to use the sick leave provided under  
1-28 that section or the personal leave provided under Subsection (a) in  
1-29 any order to the extent that the leave the employee uses is  
1-30 appropriate to the purpose of the leave.

1-31 SECTION 2. This Act applies beginning with the 2009-2010  
1-32 school year.

1-33 SECTION 3. This Act takes effect immediately if it receives  
1-34 a vote of two-thirds of all the members elected to each house, as  
1-35 provided by Section 39, Article III, Texas Constitution. If this  
1-36 Act does not receive the vote necessary for immediate effect, this  
1-37 Act takes effect September 1, 2009.

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