

BILL ANALYSIS

H.B. 667
By: Martinez, "Mando"
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, if an employer administers a leave policy that allows an employee personal leave to care for a sick child, there is no requirement that the leave policy treat foster children in the same manner as biological or adopted minor children. Interested parties assert that without such a requirement in place, an employee could be denied leave to care for a sick foster child because the child is not the employee's biological or adopted child, resulting in unequal treatment of employees who are foster parents even though such employees have the same obligations as employees who are biological or adoptive parents. H.B. 667 addresses this issue by making it an unlawful employment practice for an employer to administer leave policies that do not provide for certain equal treatment regarding leave to care for a sick foster child.

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

H.B. 667 amends the Labor Code to establish that an employer commits an unlawful employment practice if the employer administers a leave policy under which an employee is entitled to personal leave to care for or otherwise assist the employee's sick child and if such a leave policy does not treat in the same manner as an employee's biological or adopted minor child any foster child of the employee who resides in the same household as the employee and is under the conservatorship of the Department of Family and Protective Services.

EFFECTIVE DATE

September 1, 2013.