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H.B. No. 578

A BILL TO BE ENTITLED

AN ACT

relating to certain leave policies for state employees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 661.902, Government Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) The administrative head of an agency may determine that a reason other than a reason ~~[that]~~ described by Subsection (a) is sufficient for granting emergency leave. Subject to the provisions of this subsection and except as provided by Subsection (c), the administrative head ~~[and]~~ shall grant an emergency leave to an employee if the employee requests the leave and ~~[who]~~ the administrative head determines that the employee has shown good cause for taking emergency leave. The administrative head may not grant an emergency leave to an employee under this subsection unless the administrative head believes in good faith that the employee being granted the emergency leave intends to return to the employee's position with the agency on expiration of the period of emergency leave.

(c) An employee is not required to request an emergency leave if the administrative head of the employing agency grants the emergency leave under Subsection (b) because the agency is closed due to weather conditions or in observance of a holiday.

SECTION 2. Subchapter Z, Chapter 661, Government Code, is

1 amended by adding Section 661.923 to read as follows:

2 Sec. 661.923. LEAVE DURING AGENCY INVESTIGATION. (a) The
3 administrative head of an agency may grant leave without a
4 deduction in salary to a state employee who is:

5 (1) the subject of an investigation being conducted by
6 the agency; or

7 (2) a victim of, or witness to, an act or event that is
8 the subject of an investigation being conducted by the agency.

9 (b) A state employee who is the subject of an investigation
10 being conducted by the employing agency is ineligible to receive
11 leave for that reason under any other provision of this subchapter.

12 (c) Not later than the last day of each quarter of a state
13 fiscal year, an agency shall submit a report to the state auditor's
14 office and the Legislative Budget Board that includes the name of
15 each agency employee described by Subsection (a)(1) who has been
16 granted 168 hours or more of leave under this section during that
17 fiscal quarter. The report must include, for each employee, a brief
18 statement as to the reason the employee remains on leave.

19 SECTION 3. Subchapter C, Chapter 2101, Government Code, is
20 amended by adding Section 2101.042 to read as follows:

21 Sec. 2101.042. LEAVE REPORTING. (a) As part of the
22 centralized accounting and payroll system or any successor system
23 used to implement the enterprise resource planning component of the
24 uniform statewide accounting project developed under Sections
25 2101.031, 2101.035, and 2101.036, the comptroller shall adopt a
26 uniform system for use by each state agency to report leave taken by
27 the agency's employees. The system adopted by the comptroller must

1 include standardized accounting codes for each type of leave
2 authorized under Chapter 661.

3 (b) Each state agency shall use the uniform system adopted
4 by the comptroller under this section.

5 SECTION 4. Section 661.902, Government Code, as amended by
6 this Act, and Section 661.923, Government Code, as added by this
7 Act, apply only to a grant of leave made on or after the effective
8 date of this Act. A grant of leave made before the effective date of
9 this Act is governed by the law in effect on the date that leave was
10 granted, and the former law is continued in effect for that purpose.

11 SECTION 5. This Act takes effect September 1, 2017.