

By: Nelson, Bettencourt, West

S.B. No. 73

A BILL TO BE ENTITLED

AN ACT

relating to leave policy and procedures for state employees.

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

SECTION 1. Chapter 661, Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. STATE AGENCY LEAVE POLICY

Sec. 661.251. DEFINITION. In this subchapter, "state agency" has the meaning assigned by Section 661.001.

Sec. 661.252. AGENCY POLICY. (a) A state agency shall adopt a policy governing leave for employees under this chapter.

(b) The policy must provide clear and objective guidelines to establish under what circumstances an employee of the agency may be entitled to or granted each type of leave provided by this chapter.

(c) The state agency shall post the policy adopted under this section on the agency's Internet website in a location easily accessible by the agency's employees and the public.

SECTION 2. 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, the administrative head ~~[and]~~ shall grant an

emergency leave to an employee who the administrative head determines 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) Not later than October 1 of each year, the administrative head of an agency shall report to the comptroller the name and position of each employee of the agency who was granted more than 32 hours of emergency leave during the previous state fiscal year, the reason for which the employee was granted the emergency leave, and the total number of hours of emergency leave granted to the employee in that state fiscal year.

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

Sec. 2101.042. LEAVE REPORTING. (a) As part of the centralized accounting and payroll system or any successor system used to implement the enterprise resource planning component of the uniform statewide accounting project developed under Sections 2101.031, 2101.035, and 2101.036, the comptroller shall adopt a uniform system for use by each state agency to report leave taken by the agency's employees. The system adopted by the comptroller must include standardized accounting codes for each type of leave authorized under Chapter 661.

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

1 SECTION 4. Section 661.902(b), Government Code, as amended
2 by this Act, applies only to a grant of emergency leave made on or
3 after the effective date of this Act. A grant of emergency leave
4 made before the effective date of this Act is governed by the law in
5 effect on the date the emergency leave was granted, and the former
6 law is continued in effect for that purpose.

7 SECTION 5. The first report required under Section
8 661.902(c), Government Code, as added by this Act, is due October 1,
9 2017, and must cover the period from September 1, 2016, to August
10 31, 2017.

11 SECTION 6. This Act takes effect September 1, 2017.