

By: Dominguez

H.B. No. 101

A BILL TO BE ENTITLED

AN ACT

relating to a one-time payment for certain state-employed essential workers; making an appropriation.

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

SECTION 1. DEFINITIONS. In this Act:

(1) "Comptroller" means the state comptroller of public accounts.

(2) "Eligible essential state employee" means an individual who:

(A) is a state employee; and

(B) was, during any part of the qualifying period, an eligible worker.

(3) "Eligible worker" means a state employee who was designated under 42 U.S.C. Section 802 as an essential critical infrastructure worker.

(4) "Qualifying period" means the period beginning at 12:01 a.m. on March 13, 2020, and ending at 11:59 p.m. on September 13, 2021.

(5) "State agency" means a department, commission, board, office, or other agency in the executive branch of state government that is created by the constitution or a statute of this state.

(6) "State employee" means an employee of a state agency.

1 SECTION 2. ESSENTIAL WORKER PAYMENT; AMOUNT. (a) An
2 eligible essential state employee is entitled to an essential
3 worker payment.

4 (b) The amount of the essential worker payment to which an
5 eligible essential state employee is entitled is equal to the
6 lesser of:

7 (1) the product of:

8 (A) \$2.00; and

9 (B) the number of hours the eligible essential
10 state employee worked for the state during the qualifying period
11 while designated an eligible worker; or

12 (2) \$8,000.

13 (c) An essential worker payment is in addition to any other
14 salary or wage to which eligible essential state employees are
15 entitled under the terms of their employment.

16 SECTION 3. DETERMINATION OF ELIGIBILITY. The comptroller,
17 in consultation with the Legislative Budget Board and the State
18 Auditor's Office, shall by rule establish the process to be used to:

19 (1) determine which state employees are eligible
20 essential state employees;

21 (2) determine the amount of the essential worker
22 payment to which each eligible essential state employee is
23 entitled; and

24 (3) distribute money to state agencies to make
25 essential worker payments to eligible essential state employees
26 employed by the agencies.

27 SECTION 4. APPROPRIATION; USE OF APPROPRIATED MONEY. (a)

1 Notwithstanding Chapter 1053 (S.B. 1), Acts of the 87th
2 Legislature, Regular Session, 2021 (the General Appropriations
3 Act), or any other law, the amount necessary to provide an essential
4 worker payment to each eligible essential state employee under
5 Section 2 of this Act is appropriated from federal money provided to
6 this state from the Coronavirus State and Local Fiscal Recovery
7 Funds under Section 9901 of the American Rescue Plan Act of 2021
8 (Pub. L. No. 117-2) to the comptroller for the two-year period
9 beginning on the effective date of this Act for distribution to
10 state agencies on the basis of the number of eligible essential
11 state employees employed by each state agency on September 1, 2021.
12 The comptroller shall distribute the money appropriated by this
13 section as soon as practicable after the effective date of this Act.

14 (b) A state agency may use money distributed under
15 Subsection (a) of this section only to provide essential worker
16 payments to eligible essential state employees employed by the
17 agency in accordance with Section 2 of this Act.

18 SECTION 5. EXPIRATION. This Act expires February 1, 2024.

19 SECTION 6. EFFECTIVE DATE. This Act takes effect
20 immediately if it receives a vote of two-thirds of all the members
21 elected to each house, as provided by Section 39, Article III, Texas
22 Constitution. If this Act does not receive the vote necessary for
23 immediate effect, this Act takes effect on the 91st day after the
24 last day of the legislative session.