

## **BILL ANALYSIS**

C.S.S.B. 222  
By: Nichols  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It is important that the state offer adequate incentives to attract high-quality employees and encourage a family-friendly culture at state agencies. While some employers offer paid parental leave, there is no statewide policy requiring paid parental leave for state agency employees. C.S.S.B. 222 seeks to provide for 60 days of paid leave to certain state employees for the birth or adoption of a child.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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**

C.S.S.B. 222 amends the Government Code to entitle a state employee who is a member of the Employees Retirement System of Texas (ERS) to 60 days of paid leave during their FMLA leave for the birth of a child, the birth of a child by their spouse or a gestational surrogate, or the adoption of a child. The employee may take this paid leave without first using all available and applicable paid vacation or sick leave. The bill expressly does not entitle an employee to any leave in addition to the FMLA leave.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 222 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

Whereas the engrossed made the entitlement to paid parental leave applicable to state employees who are members of ERS or who are employed by an executive branch state agency, except for a public institution of higher education, the substitute limits the entitlement in the engrossed to state employees who are ERS members.

Whereas the substitute provides a uniform entitlement to 60 days of paid leave during the applicable state employee's FMLA leave for the birth of a child, the birth of a child by their

spouse or a gestational surrogate, or the adoption of a child, the engrossed provided an entitlement to 10 days of paid leave for the birth of a child by the employee's spouse and 30 days of paid leave under the three other permitted circumstances.