By: Johnson S.B. No. 966

A BILL TO BE ENTITLED

AN ACT

relating to paid leave by certain state employees for the birth or adoption of a child.

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

SECTION 1. Section 661.912, Government Code, is amended to read as follows:

Sec. 661.912. FAMILY AND MEDICAL LEAVE ACT. (a) Except as provided by Section 661.9125, to [~~To~~] the extent required by federal law, a state employee who has a total of at least 12 months of state service and who has worked at least 1,250 hours during the 12-month period preceding the beginning of leave under this section is entitled to leave under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Section 2601 et seq.).

(b) The employee must first use all available and applicable paid vacation and sick leave while taking leave under this section, except that an employee who is receiving temporary disability benefits or workers' compensation benefits or is taking paid leave under Section 661.9125 is not required to first use applicable paid vacation or sick leave while receiving those benefits or taking paid leave under Section 661.9125.

SECTION 2. Subchapter Z, Chapter 661, Government Code, is amended by adding Section 661.9125 to read as follows:

Sec. 661.9125. PAID PARENTAL LEAVE FOR CERTAIN EMPLOYEES. (a) This section applies only to a state employee who:

(1) is a member of the Employees Retirement System of Texas; and

(2) takes leave under Section 661.912 for the:

(A) birth of a child;

(B) birth of a child by the employee's spouse;

(C) birth of a child by a gestational surrogate; or

(D) adoption of a child.

(b) Except as provided by Subsection (c), a state employee is entitled to:

(1) eight consecutive weeks of paid parental leave if the employee is the primary caregiver of a child described by Subsection (a); or

(2) four consecutive weeks of paid parental leave if the employee is the spouse of the primary caregiver of a child described by Subsection (a).

(c) A state employee's entitlement to paid parental leave under Subsection (b) expires on the six-month anniversary of the date of the child's birth or placement with the employee.

(d) This section does not entitle an employee to any leave in addition to leave taken under Section 661.912.

(e) A state employee is not required to use all available paid vacation and sick leave before the employee is entitled to take paid leave under this section.

SECTION 3. This Act takes effect September 1, 2023.