

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**March 6, 2023**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Business & Commerce

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB222** by Nichols (Relating to paid leave by certain state employees for the birth or adoption of a child.), **As Introduced**

The fiscal implications of the bill cannot be determined, because the number of employees likely to take paid leave under the provisions of the bill is unknown.

Texas Government Code Sec. 661.912 entitles a state employee, under certain circumstances, to 12 weeks of leave under the federal Family and Medical Leave Act of 1993, as required under federal law.

The bill would provide a state employee with 20 days of paid leave during the employee's period of FMLA leave following the birth of a child. The bill would also entitle a state employee to 10 days of paid leave during an employee's period of FMLA leave following the birth of a child by the employee's spouse, by gestational surrogacy, or for the adoption of a child.

The number of employees likely to take paid leave under the provisions of the bill is unknown. For this reason, the fiscal implications of the bill cannot be determined.

For the purposes of illustration, the Texas Higher Education Coordinating Board (THECB) reports that the average annual salary of an employee at THECB is \$87,620.99. Assuming an employee earning the average salary took 20 days of leave that otherwise would have taken unpaid leave, the increased compensation paid to that employee would be \$6,740.80. If the employee took 10 days of paid leave, the increased compensation paid to the employee would be \$3,370.40.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 242 State Commission on Judicial Conduct, 304 Comptroller of Public Accounts, 320 Texas Workforce Commission, 327 Employees Retirement System, 352 Bond Review Board, 452 Department of Licensing and Regulation, 503 Texas Medical Board, 529 Health and Human Services Commission, 582 Commission on Environmental Quality, 601 Department of Transportation, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 781 Higher Education Coordinating Board

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