

## **BILL ANALYSIS**

Senate Research Center  
89R21606 SCL-D

H.B. 334  
By: Ordaz et al. (Blanco)  
Local Government  
5/7/2025  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In emergency situations requiring extended leave, many county employees quickly deplete earned sick or vacation time, leaving them without the necessary resources to care for themselves or their loved ones during critical times. This bill seeks to allow counties to create their own employee family leave pool programs, should they choose to. This shared family leave policy would allow county employees to donate unused leave time to a pool to provide eligible county employees more flexibility in bonding with and caring for children during a child's first year following birth, adoption, or foster placement and in caring for a seriously ill family member or themselves.

H.B. 334 amends current law relating to the establishment of a county employee family leave pool program.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 157, Local Government Code, by adding Subchapter E-1, as follows:

#### **SUBCHAPTER E-1. COUNTY EMPLOYEE FAMILY LEAVE POOL PROGRAM**

Sec. 157.081. DEFINITIONS. Defines "family leave pool," "pool administrator," and "program."

Sec. 157.082. ESTABLISHMENT OF COUNTY EMPLOYEE FAMILY LEAVE POOL PROGRAM. (a) Authorizes the commissioners court of a county by order to establish a program to allow an employee of the county to voluntarily transfer sick or vacation leave time earned by the employee to a county employee family leave pool.

(b) Requires that a program established under this section create a county employee family leave pool and at a minimum comply with the provisions of this subchapter.

(c) Requires the judge of a county, if a program is established for the county under this section, to serve as the pool administrator of the family leave pool for the county or appoint an individual to serve as the pool administrator of the family leave pool for the county.

Sec. 157.083. CONTRIBUTION TO FAMILY LEAVE POOL. (a) Authorizes a county employee to contribute to the family leave pool of the county that employs the employee one or more days of the employee's accrued sick or vacation leave.

(b) Requires the pool administrator for a county to credit the county's family leave pool with the amount of time contributed by a county employee and deduct a

corresponding amount of time from the employee's earned sick or vacation leave as if the employee had used the time for personal purposes.

(c) Authorizes a retiring county employee to designate the number of the retiring employee's accrued sick or vacation leave hours to be used for retirement credit and the number of the retiring employee's accrued sick or vacation leave hours to be donated on retirement to the family leave pool of the county that employs the retiring employee.

Sec. 157.084. USE OF TIME IN POOL. (a) Provides that a county employee is eligible to use time contributed to the family leave pool of the county that employs the employee if the employee has exhausted the employee's eligible compensatory, discretionary, sick, and vacation leave because of certain events.

(b) Requires a county employee who applies to use time under Subsection (a) to care for another person to submit and be listed on the other person's birth certificate, birth facts, or adoption or foster paperwork for a child under 18 years of age, including being listed as the mother, father, adoptive parent, foster parent, or spouse of the child's mother, father, adoptive parent, or foster parent, or provide documentation that the employee is the guardian of a person who is 18 years of age or older and requiring guardianship.

Sec. 157.085. WITHDRAWAL OF TIME FROM POOL. (a) Authorizes a county employee to apply to the pool administrator for the county that employs the employee for permission to withdraw time from the county's family leave pool.

(b) Requires a county employee who applies to withdraw time under this section because of a serious illness, including a pandemic-related illness, of the employee or an immediate family member of the employee and does not qualify for or has exhausted time available in the sick leave pool of the county that employs the employee, if applicable, to provide the county's pool administrator with a written statement from the licensed practitioner who is treating the employee or the employee's immediate family member.

(c) Requires a county employee who applies to withdraw time under this section because of an extenuating circumstance created by an ongoing pandemic, including providing essential care to a family member, to provide any applicable documentation, including an essential caregiver designation, proof of closure of a school or daycare, or other appropriate documentation to the pool administrator for the county that employs the employee.

(d) Requires a pool administrator, if the administrator determines a county employee is eligible to withdraw time under this section, to approve the transfer of time from the county's family leave pool to the employee and credit the time to the employee.

Sec. 157.086. LIMITATION ON WITHDRAWALS. (a) Prohibits a county employee from withdrawing time from the family leave pool of the county that employs the employee in an amount that exceeds the lesser of one-third of the total time in the pool or 90 days.

(b) Requires the pool administrator for a county, subject to Subsection (a), to determine the amount of time that a county employee is authorized to withdraw from the county's family leave pool.

Sec. 157.087. EQUAL TREATMENT. Authorizes a county employee absent while using time withdrawn from the family leave pool of the county that employs the employee to use the time as sick leave earned by the employee. Requires the employee to be treated for all purposes as if the employee is absent on earned sick leave.

Sec. 157.088. NO ENTITLEMENT TO ESTATE. Provides that the estate of a deceased county employee is not entitled to payment for unused time withdrawn by the employee from the family leave pool of the county that employs the employee.

SECTION 2. Effective date: upon passage or September 1, 2025.