

BILL ANALYSIS

Senate Research Center
89R23177 CXP-F

H.B. 5196
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Business & Commerce
5/21/2025
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Recently, Governor Abbott issued a directive to end telework policies, requiring employees to return to offices. However, allowing some employees to continue their teleworking with certain parameters in place will allow agencies more flexibility with a lack of physical office space and associated costs. H.B. 5196 seeks to establish a clear framework for telework arrangements, ensuring that both employees and agency heads understand the associated conditions and expectations.

H.B. 5196 amends current law relating to telework for state employees.

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 Section 658.001, Government Code, by adding Subdivision (3) to define "telework."

SECTION 2. Amends Section 658.010(a), Government Code, as follows:

(a) Provides that an employee of a state agency is required, during normal office hours, to conduct agency business only at the employee's regular or assigned temporary place of employment unless the employee meets certain criteria, including if the employee has received authorization to telework under Section 658.011, rather than if the employee received prior written authorization from the administration head of the employing state agency to perform work elsewhere.

SECTION 3. Amends Chapter 658, Government Code, by adding Sections 658.011 and 658.012, as follows:

Sec. 658.011. AUTHORIZATION OF TELEWORK. (a) Authorizes the administrative head of a state agency to enter into an agreement with an employee authorizing telework in order to address a lack of available office space for the agency or provide reasonable flexibility that enhances the agency's ability to achieve its mission.

(b) Provides that an agreement described by Subsection (a) is required to be in writing, include the reasons telework is being authorized, state the terms under which the agreement may be revoked, and be renewed at least once each year after the employee begins telework and is authorized to be revoked by the state agency at any time and without notice.

(c) Prohibits a state agency from offering telework as a condition of employment by the agency.

(d) Provides that an agreement described by Subsection (a) does not prohibit the employing state agency from requiring an employee to report to the employee's

regular or assigned temporary place of employment or another work location on a day on which the agreement otherwise authorizes telework for a meeting, special event, or other engagement for which the agency determines in-person interaction is necessary.

Sec. 658.012. AGENCY TELEWORK PLAN. (a) Requires a state agency that authorizes telework under Section 658.011 to develop a plan that addresses the agency's telework policies and procedures. Requires that an agency telework plan meet certain criteria.

(b) Requires a state agency that develops an agency telework plan under this section to publish the agency's telework plan on the agency's publicly accessible Internet website.

SECTION 4. Effective date: September 1, 2025.