

By: Simmons

H.B. No. 4704

A BILL TO BE ENTITLED

AN ACT

relating to a public school paid parental leave policy, an allotment under the Foundation School Program for the cost of providing paid parental leave under that policy, and the eligibility of certain children for free prekindergarten programs.

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

SECTION 1. Subchapter A, Chapter 22, Education Code, is amended by adding Section 22.0035 to read as follows:

Sec. 22.0035. PAID PARENTAL LEAVE POLICY. (a) A school district or open-enrollment charter school may adopt a paid parental leave policy under which a full-time employee of the district or school is entitled to paid parental leave following the:

(1) birth of a child;

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

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

(4) adoption of a child.

(b) If a school district or open-enrollment charter school adopts a paid parental leave policy described by Subsection (a), the policy:

(1) must provide:

(A) eight consecutive weeks of paid parental leave for an employee who is the primary caregiver of the child; or

(B) four consecutive weeks of paid parental leave

1 for an employee who is the spouse of the primary caregiver of the
2 child;

3 (2) must require that:

4 (A) an employee be employed on a full-time basis
5 by the school district or open-enrollment charter school for at
6 least 12 months before becoming eligible for paid parental leave;

7 (B) an employee's eligibility for paid parental
8 leave expires on the six-month anniversary of the date of the
9 child's birth or placement with the employee; and

10 (C) an employee who has been granted paid
11 parental leave under the policy take the leave concurrently with
12 leave for which the employee is eligible under the federal Family
13 and Medical Leave Act of 1993 (29 U.S.C. Section 2601 et seq.); and

14 (3) may not require an employee to first use all
15 available and applicable paid vacation and sick leave before taking
16 paid parental leave under the policy.

17 (c) Not later than November 1 of each even-numbered year,
18 the agency shall prepare and submit to the legislature a report on
19 paid parental leave provided under a policy adopted under this
20 section. The report must include:

21 (1) the number of employees who took paid parental
22 leave under the policy during the preceding two years,
23 disaggregated by school district and open-enrollment charter
24 school;

25 (2) the costs of providing paid parental leave under
26 the policy during the preceding two years;

27 (3) projections regarding future participation in and

1 costs of paid parental leave provided under the policy; and

2 (4) any recommendations for legislative or other
3 action.

4 SECTION 2. Section 29.153(b), Education Code, is amended to
5 read as follows:

6 (b) A child is eligible for enrollment in a prekindergarten
7 class under this section if the child is at least three years of age
8 and:

9 (1) is unable to speak and comprehend the English
10 language;

11 (2) is educationally disadvantaged;

12 (3) is homeless, regardless of the residence of the
13 child, of either parent of the child, or of the child's guardian or
14 other person having lawful control of the child;

15 (4) is the child of an active duty member of the armed
16 forces of the United States, including the state military forces or
17 a reserve component of the armed forces, who is ordered to active
18 duty by proper authority;

19 (5) is the child of a member of the armed forces of the
20 United States, including the state military forces or a reserve
21 component of the armed forces, who was injured or killed while
22 serving on active duty;

23 (6) is or ever has been in:

24 (A) the conservatorship of the Department of
25 Family and Protective Services following an adversary hearing held
26 as provided by Section 262.201, Family Code; or

27 (B) foster care in another state or territory, if

1 the child resides in this state; ~~[or]~~

2 (7) is the child of a person eligible for the Star of
3 Texas Award as:

4 (A) a peace officer under Section 3106.002,
5 Government Code;

6 (B) a firefighter under Section 3106.003,
7 Government Code; or

8 (C) an emergency medical first responder under
9 Section 3106.004, Government Code; or

10 (8) is the child of a person employed as a classroom
11 teacher at a public primary or secondary school in this state.

12 SECTION 3. Subchapter D, Chapter 48, Education Code, is
13 amended by adding Section 48.157 to read as follows:

14 Sec. 48.157. HEALTHY FAMILIES ALLOTMENT. For each employee
15 who received paid parental leave under a policy adopted under
16 Section 22.0035 during the preceding school year, a school district
17 is entitled to an annual allotment equal to the amount of the
18 employee's compensation for the period for which the employee
19 received paid parental leave under that policy.

20 SECTION 4. Section 22.0035, Education Code, as added by
21 this Act, and Section 29.153(b), Education Code, as amended by this
22 Act, apply beginning with the 2025-2026 school year.

23 SECTION 5. (a) Except as provided by Subsection (b) of this
24 section, this Act takes effect immediately if it receives a vote of
25 two-thirds of all the members elected to each house, as provided by
26 Section 39, Article III, Texas Constitution. If this Act does not
27 receive the vote necessary for immediate effect, this Act takes

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1 effect September 1, 2025.

2 (b) Section 48.157, Education Code, as added by this Act,
3 takes effect September 1, 2025.