

By: Creighton

S.B. No. 2704

A BILL TO BE ENTITLED

AN ACT

relating to the requirement that certain state employees conduct agency business only at the employee's regular place of employment.

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

SECTION 1. Section 658.010, Government Code, is amended to read as follows:

Sec. 658.010. PLACE WHERE WORK PERFORMED. (a) This section does not apply to the Supreme Court of Texas, the Texas Court of Criminal Appeals, a court of appeals, or another agency in the judicial branch.

(b) Except as provided by Subsection (d), an [An] employee of a state agency shall~~[, during normal office hours,]~~ conduct agency business only at the employee's regular ~~[or assigned temporary]~~ place of employment ~~[unless the employee:~~

~~[(1) is travelling, or~~

~~[(2) received prior written authorization from the administrative head of the employing state agency to perform work elsewhere].~~

(c) A state agency may not implement, maintain, or authorize a permanent policy that allows an agency employee to conduct agency business at a place other than the employee's regular place of employment except as provided by this section or specifically authorized by other law.

(d) A state agency may authorize an agency employee to

1 conduct agency business at a place other than the employee's  
2 regular place of employment only if:

3 (1) the administrative head of the agency approves the  
4 authorization in writing; and

5 (2) at least one of the following applies:

6 (A) the governor has declared a state of disaster  
7 under Chapter 418;

8 (B) the employee is on approved medical leave or  
9 has a documented disability that requires a reasonable  
10 accommodation to comply with the Americans with Disabilities Act of  
11 1990 (42 U.S.C. Section 12101 et seq.);

12 (C) the employee's primary job responsibilities  
13 require frequent travel to or work at locations other than the  
14 employee's regular place of employment;

15 (D) the employee performs work or provides  
16 services that require the employee to work at a location other than  
17 the employee's regular place of employment in order to:

18 (i) respond to a cybersecurity threat; or

19 (ii) conduct essential maintenance of  
20 information technology equipment; or

21 (E) the authorization is approved by the office  
22 of the governor.

23 (e) A state agency shall report any authorization provided  
24 under Subsection (d) to the state auditor's office as soon as  
25 practicable after the authorization is provided.

26 (f) ~~(b)~~ The employee's personal residence may not be  
27 considered the employee's regular ~~or assigned temporary~~ place of

1 employment ~~[without prior written authorization from the~~  
2 ~~administrative head of the employing state agency]~~.

3 (g) Not later than October 1 of each year, each state agency  
4 shall submit a written report to the state auditor's office that  
5 includes documentation of:

6 (1) agency employee attendance and adherence to the  
7 requirements of this section;

8 (2) each authorization provided under Subsection (d);  
9 and

10 (3) any corrective measures taken by the agency to  
11 address noncompliance with the requirements of this section.

12 SECTION 2. Each state agency to which Section 658.010,  
13 Government Code, as amended by this Act, applies shall submit the  
14 initial report required by that section not later than October 1,  
15 2026.

16 SECTION 3. This Act takes effect October 1, 2025.