By: Tepper H.B. No. 228

A BILL TO BE ENTITLED

AN ACT

relating to limiting the duration of employment of certain state employees.

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

SECTION 1. Chapter 651, Government Code, is amended by adding Section 651.011 to read as follows:

Sec. 651.011. LIMITATION ON EMPLOYMENT DURATION FOR CERTAIN STATE EMPLOYEES. (a) In this section:

(1) "Faculty member" means a person who is employed by an institution of higher education on a full-time basis as a member of the faculty or staff and whose primary duties include teaching or research.

(2) "State agency" means:

(A) a department, commission, board, office, council, authority, or other agency in the executive branch of state government that is created by the constitution or a statute of this state, including a university system or institution of higher education as defined by Section 61.003, Education Code; or

(B) either house of the legislature or a legislative agency, council, or committee, including the Legislative Budget Board, the Texas Legislative Council, the State Auditor's Office, and the Legislative Reference Library.

(3) "State employee" means a person who is employed by a state agency. The term does not include an elected official.

(b) This section does not apply to a faculty member.

(c) A person may not be employed as a state employee for one or more periods that cumulatively exceed 24 years. The governing body of the employing state agency shall immediately terminate the employment of a person who becomes ineligible for employment under this subsection.

(d) For purposes of determining a person's ineligibility for employment under this section, only the length of the person's employment after January 1, 2028, may be considered.

SECTION 2. If an employment relationship described by Section 651.011, Government Code, as added by this Act, is governed by an employment contract that was entered into before the effective date of this Act, this Act only applies to any renewal of that contract occurring on or after the effective date of this Act.

SECTION 3. This Act takes effect January 1, 2028, but only if the constitutional amendment proposed by the 90th Legislature, Regular Session, 2027, to limit the time that a person may serve as a member of the Texas Legislature, a statewide elected officer in the executive branch, or a state employee in the legislative or executive branch of state government is approved by the voters. If that amendment is not approved by the voters, this Act has no effect.