

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 584  
By: Ogden  
Finance  
3-3-97  
Committee Report (Substituted)

### **DIGEST**

Currently, Texas law allows several state agencies to pay for training and other educational opportunities for their employees. During the interim of the 74th Legislature the House Appropriations Subcommittee on Special Issues Related to State Compensation (subcommittee) found that in some instances employees were given stipends to attend college undergraduate or graduate programs or other training programs without guaranteeing the state agency that they would return or continue their employment once they graduated or completed the program.

In addition, the subcommittee discussed the payment of membership dues and discovered that many state agencies pay membership dues to private organizations whose interests are closely related to the duties of the state agencies. Some of these organizations pay all or a portion of the salary of persons registered as lobbyists.

This bill sets forth guidelines for a state agency regarding the payment of training benefits for state employees and sets forth requirements for a state agency that pays membership dues to an organization that pays all or part of the salary of a person required to register under Chapter 305, Government Code.

### **PURPOSE**

As proposed, C.S.S.B. 584 requires a state agency to adopt a policy containing certain provisions relating to the spending of money for the training of an agency employee. In addition, this bill requires a state agency that pays membership dues to an organization that pays all or part of the salary of a person required to register under Chapter 305, Government Code, to make certain notifications.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to each state agency under SECTION 1 (Sections 667.002 and 667.003, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Title 6B, Government Code, by adding Chapters 667 and 668, as follows:

#### **CHAPTER 667. TRAINING OPPORTUNITIES**

Sec. 667.001. DEFINITIONS. Defines "state agency," "state employee," and "training."

Sec. 667.002. AGENCY POLICY. Requires a state agency, before it spends any money on training for a state employee, to adopt a policy governing the training of employees. Requires the policy to require training to relate to an employee's duties following training.

Sec. 667.003. RESTRICTIONS. Sets forth additional requirements applicable to a policy adopted under Section 667.002 if a state employee receives or is to receive training paid for by a state agency, and during the training period the employee does not perform the employee's regular duties for three or more months as a result of the training. Authorizes the governing body of a state agency, by an order adopted in a public meeting, to waive the requirements described in Subsection (a) and release an employee from the obligation to meet

those requirements under certain conditions.

Sec. 667.004. LIABILITY. Sets forth liabilities of an employee who receives training but who does not adhere to the requirements in Section 667.003.

Section 667.005. REPORT. Requires each state agency to prepare and submit an annual report to the Legislative Budget Board detailing the amount of money expended by the agency in the preceding fiscal year for training under this chapter.

#### CHAPTER 668. MEMBERSHIP DUES

Sec. 668.001. DEFINITION. Defines "state agency."

Sec. 668.002. REPORTING OF MEMBERSHIP DUES. Requires a state agency that pays membership dues to an organization that pays all or part of the salary of a person required to register under Chapter 305, Government Code, to notify the Legislative Budget Board, the Senate Finance Committee, and the House Appropriations Committee of the payment. Sets forth requirements regarding the notification.

SECTION 2. (a) Effective date: September 1, 1997.

(b) Requires each state agency, not later than September 15, 1997, to adopt a policy relating to the payment of training expenses of state employees as required under Chapter 667, Government Code, as added by this Act.

SECTION 3. Emergency clause.

#### **SUMMARY OF COMMITTEE CHANGES**

Amends SECTION 1 as follows:

Adds Section 667.003(b), Government Code, to include requirements applicable for an employee who is to receive training.

Adds Section 667.003(c), Government Code, to set forth provisions regarding the granting of a waiver from certain requirements to an employee who receives training.

Adds Section 667.004, Government Code, regarding the liability of an employee who does not adhere to the requirements of Section 667.003.

Adds Section 667.005, Government Code, regarding the reporting of the amount of money expended by an agency for training.

Amends Section 668.001, Government Code, to remove the proposed definition of "state employee."

Amends Section 668.002, Government Code, to amend the section title and to set forth requirements regarding the payment of membership dues to an organization that pays all or part of the salary of a person required to register under Chapter 305, Government Code.