

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 70  
By: Haywood  
Economic Development  
4-3-97  
Committee Report (Substituted)

### **DIGEST**

Currently, substitute teachers for public schools are eligible for unemployment compensation benefits between assignments. School districts are considered reimbursing employers and are liable for the full amount of unemployment claims made by a former employee. This bill would disqualify substitute teachers from receiving unemployment benefits if the individual receives written notification that the position is temporary and there is no reasonable assurance that the individual will be offered employment on more than a day-to-day basis.

### **PURPOSE**

As proposed, C.S.S.B. 70 disqualifies substitute teachers from receiving unemployment benefits if the individual receives written notification that the position is temporary and there is no reasonable assurance that the individual will be offered employment on more than a day-to-day basis.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 201E, Labor Code, by adding Section 201.078, as follows:

Sec. 201.078. SERVICE BY SUBSTITUTE TEACHER. Defines "employment" as used in this subtitle as not including service performed for a school district by an individual employed as a substitute for a regularly employed teacher if the individual is informed in writing that the position is temporary, and there is no reasonable assurance that the individual will be offered employment on a day-to-day basis.

SECTION 2. Effective date: September 1, 1997.  
Makes application of this Act prospective.

SECTION 3. Provides that Section 201.078, Labor Code, as added by this Act, is contingent on the passage of federal legislation establishing the ineligibility of certain substitute teachers to receive unemployment compensation benefits. Provides that if that federal legislation is not enacted, Section 201.078, Labor Code, as added by this Act, has no effect.

SECTION 4. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 3.

Amends SECTION 3 to provide that Section 201.078, Labor Code, as added by this Act, is contingent on the passage of federal legislation establishing the ineligibility of certain substitute teachers to receive unemployment compensation benefits. Provides that if that federal legislation is not enacted, Section 201.078, Labor Code, as added by this Act, has no effect. Redesignates proposed SECTION 3 as SECTION 4.