

BILL ANALYSIS

Senate Research Center
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S.B. 453
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State Affairs
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DIGEST AND PURPOSE

Currently, the Texas Department of Transportation (TxDOT) is the only state agency that does not have statutory authority to allow employees to use their annual leave and/or sick leave in lieu of receiving workers' compensation benefits. Thus, if requested, TxDOT would be required to make duplicate payments to employees for both workers' compensation and annual/sick leave. Payments in such a case would total as much as 170 percent, or more, of the employee's regular salary. As proposed, S.B. 453 gives TxDOT the same authority as the other state agencies to allow employees to choose to continue receiving their regular, full salary during annual/sick leave instead of the reduced workers' compensation benefits.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 505C, Labor Code, by adding Section 505.060, as follows:

Sec. 505.060. EFFECT OF SICK LEAVE; ANNUAL LEAVE. Authorizes an employee to elect to use accrued sick leave before receiving income benefits. Prohibits an employee, if electing to use sick leave, from being entitled to income benefits under this chapter until the employee has exhausted the employee's accrued sick leave. Authorizes an employee to elect to use all or any number of weeks of accrued annual leave after the employee's accrued sick leave is exhausted. Makes a conforming change regarding annual leave.

SECTION 2. Effective date: September 1, 2001.

Makes application of this Act prospective to a claim for compensable workers' compensation benefits on or after the effective date.