

## **BILL ANALYSIS**

Senate Research Center  
87R11937 TSS-D

S.B. 1792  
By: West  
Education  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

A major issue surfaced from educators during the COVID-19 pandemic because many of them simply did not have enough sick days to deal with a serious health emergency if infected or quarantined. Current law requires school employees to receive just five personal leave days per year and does not require districts to offer any additional paid sick leave days.

However, almost all districts do voluntarily offer five additional paid sick leave days, which matches the United States average number of paid sick leave days.

Some districts allow employees to use a sick leave pool, but many do not. S.B. 1792 creates a new provision of the law following the current personal leave statute (TEC 22.003) that would require all districts to create a sick leave pool and add one or more days of sick leave per employee into the pool. Districts would be allowed to automatically transfer not more than one day of paid sick leave currently provided to employees in addition to the five days provided by TEC 22.003 and to give employees the option to add additional days of individual sick leave otherwise provided by the district above the five days mandated by TEC 22.003 into the district pool in exchange for the ability to pull a greater number of days from the pool.

S.B. 1792 could greatly impact the number of sick days available to individual educators in the event of an emergency.

As proposed, S.B. 1792 amends current law relating to a leave pool for school district employees.

### **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 Section 22.003, Education Code, by adding Subsections (a-1) and (a-2) and amending Subsection (c-1), as follows:

(a-1) Requires a school district, in addition to all other days of leave provided by Section 22.003 (Minimum Personal Leave Program) or by the school district, to provide one day of personal leave per district employee in a leave pool established by the district board of trustees in accordance with this subsection and Subsection (a-2). Requires the district to allow an employee to voluntarily contribute to the leave pool created under this subsection one or more additional days of personal leave accumulated by the employee. Requires the district to credit the leave pool with the number of days of personal leave contributed by the employee and deduct a corresponding number of days of leave from the employee's accrued personal leave as if the employee had taken the leave.

(a-2) Requires the board of trustees of a school district, in establishing a leave pool under Subsection (a-1), to adopt procedures for the administration and operation of the leave pool. Requires that the procedures ensure that the number of days of personal leave that

an employee is permitted to use from the leave pool is related to the number of personal days of leave contributed by the employee under Subsection (a-1).

(c-1) Requires that any informational handbook a school district provides to employees in an electronic or paper form or makes available by posting on the district website include certain information, including information on the leave pool created under Subsection (a-1).

SECTION 2. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 3. Effective date: upon passage or September 1, 2021.