

## **BILL ANALYSIS**

Senate Research Center  
81R2550 YDB-D

S.B. 71  
By: Nelson  
Health & Human Services  
2/27/2009  
As Filed

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

Paid leave for an employee is covered by agency rule. Currently, there are no statutes dictating how long an employee can be on paid leave while the agency performs a background check. This legislation responds to a recent audit finding that employees had been placed on paid leave for excessive lengths of time. S.B. 71 reduces the resources, time, and money spent paying for employee leave related to criminal background checks.

As proposed, S.B. 71 limits the amount of paid time leave for criminal background checks for employees for all health and human services agencies to 30 days during a state fiscal biennium and authorizes the administrative head of the Health and Human Services Commission or a health and human services agency to grant leave without a deduction in salary to an employee while the agency performs a criminal history background check on the employee.

### **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 Subchapter A, Chapter 531, Government Code, by adding Section 531.0105, as follows:

Sec. 531.0105. LIMITATION ON PAID LEAVE FOR CERTAIN HEALTH AND HUMAN SERVICES AGENCY EMPLOYEES. (a) Authorizes the administrative head of the Health and Human Services Commission or a health and human services agency to grant leave without a deduction in salary to an agency employee while the agency performs a criminal history background check on the employee.

(b) Prohibits the total amount of leave an employee is authorized to be granted under this section from exceeding 30 days during a state fiscal biennium.

SECTION 2. Effective date: September 1, 2009.