

LEGISLATIVE BUDGET BOARD

Leave Reporting for Investigations

Implementation of Senate Bill 73, 85th Legislature, Regular Session

**PRESENTED TO HOUSE COMMITTEE ON GENERAL INVESTIGATING AND ETHICS
LEGISLATIVE BUDGET BOARD STAFF**

MARCH 2018

Statement of Interim Charge

Review the implementation of Senate Bill 73, 85th Regular Session, relating to leave policies and procedures for state employees.

Senate Bill 73, 85th Regular Session

Bill Requirements

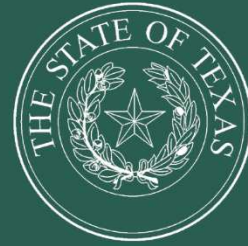
- State agencies and institutions of higher education shall adopt a leave policy for employees.
- The policy must provide clear and objective guidelines to establish under what circumstances an employee may be entitled to or granted leave.
- The bill includes the definition of emergency leave and how it may be granted and taken:
 - Agency head may only grant emergency leave if they believe in good faith that the employee intends to return to the agency upon expiration of emergency leave.
 - By October 1 of each year, the agency head must report to the Comptroller the name of each employee who took more than 32 hours of emergency leave, the reason for the leave, and the total number of hours taken in the preceding fiscal year.
- The bill allows the administrative head of an agency to grant leave without a deduction in salary to an employee who is the subject of, victim of, or witness to an act or event that is under investigation by the agency.
- Not later than the last day of each fiscal year quarter, agencies must submit to the State Auditor's Office and the Legislative Budget Board a list of employees granted 168 hours or more of leave due to an investigation during that quarter. The reports must include the employees' name and a brief statement as to the reason that the employee remains on leave.
 - First Quarter Reporting: November 30, 2017.
 - Second Quarter Reporting: February 28, 2018.
- The Eighty-fifth Legislature, General Appropriations Act, 2018-19 Biennium, Article IX, Section 7.14, Emergency Leave Report, includes most provisions of Senate Bill 73.

Fiscal Year 2018 Reporting and Results

- The Legislative Budget Board and State Auditor's Office received Leave Reports on Investigations for the first and second quarters of Fiscal Year 2018. The standard template is hosted on the SAO's website, including contact information for the offices.
- In the first quarter of fiscal year 2018, ending November 30, 2017, seven agencies and institutions of higher education reported that 23 employees received 168 or more hours of leave. These employees' leave totaled 8,152 hours.
- In the second quarter of fiscal year 2018, ending February 28, 2018, nine agencies and institutions of higher education reported that 33 employees received 168 or more hours of leave, totaling 10,155 hours.

Investigative Leave Reports

First Quarter FY2018 Sept 2017 – Nov 2017	Employees	Hours	Second Quarter FY2018 Dec 2017 – Feb 2018	Employees	Hours
Department of Public Safety	16	5,640	Department of Public Safety	14	4,688
Parks and Wildlife Department	2	664	Parks and Wildlife Department	5	1,272
University of Texas – Rio Grande Valley	1	448	University of Texas – Rio Grande Valley	5	1,352
University of Texas Medical Branch	1	392	University of Texas Medical Branch	1	251
Texas Tech University Health Science Center	1	376	Texas Tech University Health Science Center	1	192
Texas A&M University – San Antonio	1	448	MD Anderson	4	1,512
Railroad Commission	1	184	Tarleton State University	1	416
	23	8,152	Texas Woman’s University	1	272
			Texas State University	1	200
				33	10,155



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Contact the LBB

Legislative Budget Board

www.lbb.state.tx.us

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