

BILL ANALYSIS

C.S.S.B. 44
By: Zaffirini
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

State employees who are certified disaster service volunteers of the American Red Cross or who are in training to become a member of the American Red Cross are granted leave without deduction in salary or loss of vacation time, sick leave, earned overtime credit, or state compensatory time during the event of a disaster to serve as a volunteer. Yet American Red Cross volunteers are only a small proportion of the disaster volunteers providing valuable emergency response to communities across Texas. The Texas Voluntary Organizations Active in Disaster (VOAD) includes a vast array of disaster relief organizations whose volunteers' efforts during an emergency are not exempted from the loss of salary or benefits. C.S.S.B. 44 seeks to extend leave provisions similar to those for American Red Cross volunteers to each state employee who is a volunteer for a Texas VOAD member organization.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 44 amends the Government Code to grant to a state employee in the executive or judicial branch who is a volunteer of any organization that is a member of the Texas Voluntary Organizations Active in Disaster (VOAD) up to 10 days of paid leave per fiscal year without a deduction in salary or loss of vacation time, sick leave, earned overtime credit, or state compensatory time to participate in disaster relief services if the following conditions are met:

- both the employee's supervisor and the agency's executive director authorize the leave; and
- the services in which the employee participates are provided for a state of disaster declared by the governor.

C.S.S.B. 44 repeals Section 661.907, Government Code, which provides for paid leave for state employees in the executive or judicial branch who are, or are in training to become, certified disaster service volunteers specifically just with the American Red Cross.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 44 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute includes executive director approval of an employee's leave as an additional condition not in the original that must be satisfied for an applicable state employee to use the paid VOAD leave.