

Title 7. Banking and Securities
Part 1. Finance Commission of Texas
Chapter 5. Administration of Finance
Agencies
7 TAC §5.107

The Finance Commission of Texas (the commission), on behalf of the Texas Department of Banking, Department of Savings and Mortgage Lending, and Office of Consumer Credit Commissioner (agencies), adopts new §5.107, concerning Employee Leave Pools. The new rule is adopted without changes to the proposed text as published in the July 8, 2022, issue of the *Texas Register* (47 TexReg 3856). The new rule will not be republished.

In accordance with §661.002 and §661.022, the new rule as adopted acknowledges, through formal rulemaking, the existence of the agencies' respective family leave pools and sick leave pools. The adopted new rule sets forth the purpose of each leave pool, designates the Commissioner of each finance agency as the pool administrator for their respective finance agency's leave pools, and requires the Commissioner to maintain operating procedures consistent with the requirements of the proposed new rule and relevant laws governing operation of the pools.

No comments were received regarding the proposed new rule.

The new rule is adopted under the authority of Government Code, §661.002 and §661.022. Section 661.002 requires that the governing body of each state agency adopt rules and prescribe procedures relating to the

operation of an agency's sick leave pool. Section 661.022 requires the governing bodies of state agencies to adopt rules to create and administer an employee family leave pool.

The adopted new rule affects Government Code, Chapter 661.

§5.107. Employee Leave Pools.

(a) Generally. The finance agencies maintain policies for establishing and administering the sick leave pool and family leave pool of each respective finance agency.

(b) Sick leave pool. A sick leave pool is established to allow employees to transfer accrued sick leave to the pool to be used by employees who are eligible to withdraw time from the pool. The sick leave pool is intended to assist an employee and the employee's immediate family in dealing with a catastrophic illness or injury that forces the employee to exhaust all of the employee's available sick leave.

(1) The Commissioner of each finance agency is designated as the pool administrator for the respective finance agency's sick leave pool.

(2) The pool administrator will maintain operating procedures consistent with the requirements of this subsection and relevant law governing operation of the pool.

(3) Donations to the pool are strictly voluntary.

(c) Family leave pool. A family leave

pool is established to allow employees to transfer accrued sick leave or vacation leave to the pool to be used by employees who are eligible to withdraw time from the pool. The family leave pool is intended to provide employees the flexibility to bond with and care for children during a child's first year following birth, adoption, or foster placement; or to care for a seriously ill family member or the employee, including illnesses or complications resulting from a pandemic.

(1) The Commissioner of each finance agency is designated as the pool administrator for the respective finance agency's family leave pool.

(2) The pool administrator will maintain operating procedures consistent with the requirements of this subsection and relevant law governing operation of the pool.

(3) Donations to the pool are strictly voluntary.