

1-1 By: Capriglione, et al. (Senate Sponsor - King) H.B. No. 5196
1-2 (In the Senate - Received from the House May 9, 2025;
1-3 May 13, 2025, read first time and referred to Committee on Business
1-4 & Commerce; May 25, 2025, reported favorably by the following vote:
1-5 Yeas 11, Nays 0; May 25, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Schwertner	X		
1-9	King	X		
1-10	Blanco	X		
1-11	Campbell	X		
1-12	Creighton	X		
1-13	Johnson	X		
1-14	Kolkhorst	X		
1-15	Menéndez	X		
1-16	Middleton	X		
1-17	Nichols	X		
1-18	Zaffirini	X		

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to telework for state employees.
1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-23 SECTION 1. Section 658.001, Government Code, is amended by
1-24 adding Subdivision (3) to read as follows:
1-25 (3) "Telework" means a work arrangement that allows an
1-26 employee of a state agency to conduct on a regular basis all or some
1-27 agency business at a place other than the employee's regular or
1-28 assigned temporary place of employment during all or a portion of
1-29 the employee's established work hours.
1-30 SECTION 2. Section 658.010(a), Government Code, is amended
1-31 to read as follows:
1-32 (a) An employee of a state agency shall, during normal
1-33 office hours, conduct agency business only at the employee's
1-34 regular or assigned temporary place of employment unless the
1-35 employee:
1-36 (1) is travelling; or
1-37 (2) has received authorization to telework under
1-38 Section 658.011 ~~[received prior written authorization from the~~
1-39 ~~administrative head of the employing state agency to perform work~~
1-40 ~~elsewhere].~~
1-41 SECTION 3. Chapter 658, Government Code, is amended by
1-42 adding Sections 658.011 and 658.012 to read as follows:
1-43 Sec. 658.011. AUTHORIZATION OF TELEWORK. (a) The
1-44 administrative head of a state agency may enter into an agreement
1-45 with an employee authorizing telework in order to:
1-46 (1) address a lack of available office space for the
1-47 agency; or
1-48 (2) provide reasonable flexibility that enhances the
1-49 agency's ability to achieve its mission.
1-50 (b) An agreement described by Subsection (a):
1-51 (1) must:
1-52 (A) be in writing;
1-53 (B) include the reasons telework is being
1-54 authorized;
1-55 (C) state the terms under which the agreement may
1-56 be revoked; and
1-57 (D) be renewed at least once each year after the
1-58 employee begins telework; and
1-59 (2) may be revoked by the state agency at any time and
1-60 without notice.
1-61 (c) A state agency may not offer telework as a condition of

employment by the agency.

(d) An agreement described by Subsection (a) does not prohibit the employing state agency from requiring an employee to report to the employee's regular or assigned temporary place of employment or another work location on a day on which the agreement otherwise authorizes telework for a meeting, special event, or other engagement for which the agency determines in-person interaction is necessary.

Sec. 658.012. AGENCY TELEWORK PLAN. (a) A state agency that authorizes telework under Section 658.011 shall develop a plan that addresses the agency's telework policies and procedures. An agency telework plan must:

(1) establish:

(A) criteria for evaluating the ability of an employee to satisfactorily perform the employee's job duties while teleworking;

(B) performance standards that ensure a teleworking employee maintains satisfactory performance;

(C) a system for monitoring the productivity of a teleworking employee that ensures that the employee's work remains satisfactory and that the employee's duties remain suitable for telework; and

(D) appropriate physical and information security controls at teleworking sites;

(2) ensure that a teleworking employee is subject to the same rules and disciplinary actions as any other agency employee; and

(3) prohibit a teleworking employee from conducting in-person business at the employee's personal residence.

(b) A state agency that develops an agency telework plan under this section shall publish the agency's telework plan on the agency's publicly accessible Internet website.

SECTION 4. This Act takes effect September 1, 2025.

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