

Moved by Ward-Engelking

Seconded by Mortimer

IN THE SENATE
SENATE AMENDMENT TO H.B. NO. 452

AMENDMENT TO SECTION 1

On page 4 of the printed bill, following line 18, insert:

"(29) "Public education entity" means community colleges, public school districts, public charter schools and the Idaho digital learning academy.";

in line 19, delete "(29)" and insert: "(30)"; in line 22, delete "(30)" and insert: "(30₁)"; in line 26, delete "(31)" and insert: "(31₂)"; in line 29, delete "(32)" and insert: "(32₃)"; delete lines 31 through 35, and insert:

"(33₄) "State educational agency" means the following state agencies and educational institutions supervised by the Idaho state board of education:

- (a) Boise state university;
- (b) Idaho state university;
- (c) University of Idaho;
- (d) Lewis-Clark state college;
- (e) Eastern Idaho technical college;
- (f) Idaho public television;
- (g) The division of vocational rehabilitation;
- (h) The division of career technical education;
- (i) The office of the state board of education; and
- (j) The department of education."

in line 36, delete "(34)" and insert: "(35)"; in line 46, delete "(34₅)" and insert: "(34₆)"; and in line 49, delete "(35₆)" and insert: "(35₇)".

AMENDMENT TO THE BILL

On page 5, delete lines 1 through 40, and insert:

"SECTION 2. That Section 67-5333A, Idaho Code, be, and the same is hereby amended to read as follows:

67-5333A. SICK LEAVE TRANSFERRED -- ~~COMMUNITY COLLEGES~~
~~STATE EMPLOYMENT~~ PUBLIC EDUCATION ENTITY AND STATE EDUCATIONAL
AGENCY. Notwithstanding any other provision of law to the contrary, any
Any employee who has accrued sick leave while in the employment of one (1)
of Idaho's community colleges and who, on or after January 1, 2012, is
transferred to or otherwise becomes an eligible employee of a state of Idaho
educational agency immediately following termination of employment with a
~~community college~~ public education entity shall be credited by the state of
Idaho with the amount of any unused sick leave previously accrued and unused,
~~up to a maximum of ninety (90) days,~~ upon commencement of state educational
agency employment. Any employee who becomes an eligible employee of a public
education entity immediately following termination of state educational

1 agency employment shall be credited by the public education entity with the
 2 amount of sick leave accrued upon commencement of public education entity
 3 employment. After such transfer, the use of sick leave shall be governed
 4 by the laws and, rules and policies applicable to ~~state employees and any~~
 5 ~~applicable policies of the state educational agency or public education~~
 6 entity thereafter employing such employee.

7 SECTION 3. That Section 33-1217, Idaho Code, be, and the same is hereby
 8 amended to read as follows:

9 33-1217. ~~ACCUMULATION OF ACCRUED UNUSED SICK LEAVE -- TRANSFER -- SICK~~
 10 ~~LEAVE WHEN DISTRICTS DIVIDE OR CONSOLIDATE.~~ Unused sick leave shall be ~~accu-~~
 11 ~~mulated~~ accrue from year to year as long as an employee remains continuously
 12 in the service of the same school district, including charter districts, ~~to~~
 13 ~~ninety (90) days accumulation of leave.~~ Termination of employment in any
 14 district shall terminate sick leave rights, both current and ~~accumulated~~
 15 ~~accrued,~~ except when such employee is employed by ~~another district or an-~~
 16 ~~other~~ a public education entity or by a state educational agency, as such
 17 terms are defined in section 67-5302, Idaho Code, during the school year im-
 18 mediately following the year of termination or within three (3) school years
 19 immediately following the year of termination if termination of employment
 20 is due to a reduction in force; and the ~~accumulated accrued sick leave up~~
 21 ~~to a maximum of ninety (90) days~~ shall be secured for, and credited to, the
 22 employee by the ~~district~~ public education entity or state educational agency
 23 thereafter employing such employee. Any ~~employee employed by a school~~
 24 ~~district who was employed by a state educational agency employee or public~~
 25 ~~education entity employee who obtains employment with a school district~~
 26 during the current or prior subsequent school year following termination
 27 shall be credited any unused sick leave ~~accumulated~~ accrued during state em-
 28 ployment ~~up to a maximum of ninety (90) days.~~ Whenever new school districts
 29 are formed by the consolidation or by the division of existing districts,
 30 the ~~accumulated~~ accrued sick leave of school district employees who continue
 31 in service in the new district or districts created by such consolidation
 32 or division shall have such ~~accumulated~~ accrued sick leave secured for and
 33 credited to them in such newly created district or districts."

34 CORRECTION TO TITLE

35 On page 1, in line 3, delete "A TERM" and insert: "TERMS"; in line 5,
 36 following "FOR" insert: "CERTAIN"; and in line 6, delete "OF A STATE EDUCA-
 37 TIONAL AGENCY".