

HOUSE BILL 2854

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 49,  
relative to COVID-19 sick leave.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, Part 7, is amended by  
adding the following as a new section:

(a) As used in this section, "family member" means a:

- (1) Spouse;
- (2) Child;
- (3) Parent;
- (4) Grandchild;
- (5) Grandparent; or
- (6) Other dependent person.

(b) A full-time or part-time employee of a public school shall receive up to ten  
(10) days of COVID-19 paid sick leave for the following:

- (1) The employee who tests positive for COVID-19;
- (2) The employee who is required to quarantine due to COVID-19  
exposure;
- (3) The employee who has side effects as a result of the COVID-19  
vaccine; or
- (4) The employee who cares for:
  - (A) An employee's family member who tests positive for COVID-  
19; or

(B) A person who resides in the employee's household who tests positive for COVID-19.

(c) An employee shall submit a doctor's note, which describes the reason for the leave in accordance with subsection (a), to the employee's supervisor or the supervisor's designee to receive COVID-19 paid sick leave.

(d) A full-time or part-time employee of a public school shall not receive more than ten (10) days of COVID-19 paid sick leave in a school year. This subsection (d) does not prohibit an employee from receiving leave due to COVID-19 through other state or local leave plans.

(e) An employee shall not be charged for a day of leave for a day that is covered by a COVID-19 paid sick leave.

(f) This section applies to the 2020-2021 and the 2021-2022 school years.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) The department of education shall amend this state's American Rescue Plan Elementary and Secondary School Emergency Relief Plan with the U.S. department of education to allow for the use of funds described in this section.

(b) If the U.S. department of education approves the state's amended plan, then the state's department of education shall use a portion of the funds received pursuant to the American Rescue Plan Act of 2021 (H.R. 1319) for full-time and part-time employees of early childhood education programs to receive up to ten (10) days of COVID-19 paid sick leave for the following:

(1) The employee who tests positive for COVID-19;

(2) The employee who is required to quarantine due to COVID-19 exposure;

(3) The employee who has side effects as a result of the COVID-19 vaccine; or

(4) The employee who cares for:

(A) An employee's family member who tests positive for COVID-19; or

(B) A person who resides in the employee's household who tests positive for COVID-19.

(c) As used in this section:

(1) "Early childhood education programs" means the same as defined in the Elementary and Secondary Education Act of 1965 (20 U.S.C. § 7801); and

(2) "Family member" means a:

(A) Spouse;

(B) Child;

(C) Parent;

(D) Grandchild;

(E) Grandparent; or

(F) Other dependent person.

SECTION 3. This act is not an appropriation of funds, and funds shall not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.