

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: S3/29/23

A Bill

SENATE BILL 426

By: Senator Irvin

By: Representatives Gazaway, *Vaught*

For An Act To Be Entitled

AN ACT TO EXTEND MATERNITY LEAVE FOR STATE EMPLOYEES;
TO AMEND THE LAW CONCERNING THE CATASTROPHIC LEAVE
PROGRAM; TO DECLARE AN EMERGENCY; AND FOR OTHER
PURPOSES.

Subtitle

TO EXTEND MATERNITY LEAVE FOR STATE
EMPLOYEES; TO AMEND THE LAW CONCERNING
THE CATASTROPHIC LEAVE PROGRAM; AND TO
DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 21-4-214(d)(2), concerning the catastrophic leave program and maternity leave, is amended to read as follows:

(2) The employee is female, and the catastrophic leave is to be used for maternity purposes after:

(A) The birth of the employee's biological child; ~~or~~

(B) The placement of an adoptive child under one (1) year of age in the home of the employee; or

(C) The foster placement of an infant under one (1) year of age;

SECTION 2. Arkansas Code § 21-4-214(e)(1)-(3), concerning the catastrophic leave program and maternity leave, are amended to read as follows:



(e)(1) Up to ~~four (4)~~ twelve (12) consecutive weeks of catastrophic leave with full pay may be granted to an employee for maternity purposes.

(2) The employee shall be eligible for the leave only within the first twelve (12) weeks after the birth, foster, or adoption of a child.

(3) After the expiration of the ~~four (4)~~ twelve (12) weeks of leave under subdivision (e)(1) of this section, maternity leave shall be treated as any other leave for sickness or disability under § 21-4-209.

SECTION 3. Arkansas Code § 21-4-214(e), concerning the catastrophic leave program and maternity leave, is amended to add an additional subdivision to read as follows:

(5) The employee shall not be eligible for an additional twelve (12) weeks of leave for the adoption of a child if the employee took twelve (12) weeks of leave after the initial foster placement of the same child into the employee's home.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that maternity leave improves maternal and infant health, improves the mental and physical health of state employees after the birth of a child, and potentially reduces future use of sick leave; that maternity leave for adoptive children and foster children will encourage adoption and fostering by state employees; that paid maternity leave can increase employee retention and attract and retain new talent; and that this act is immediately necessary because state employees' maternal and infant needs are ongoing and of vital importance. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

APPROVED: 4/12/23