

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: H1/19/23 H1/31/23
A Bill

HOUSE BILL 1006

By: Representatives Pilkington, *Joey Carr, Wing, Milligan, Unger*
By: *Senator K. Hammer*

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING EMPLOYMENT; TO
REQUIRE CERTAIN EMPLOYERS TO PROVIDE PAID MATERNITY
LEAVE; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW REGARDING EMPLOYMENT;
AND TO REQUIRE CERTAIN EMPLOYERS TO
PROVIDE PAID MATERNITY LEAVE.

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

SECTION 1. Arkansas Code Title 11, Chapter 5, Subchapter 1, is amended
to add an additional section to read as follows:

11-5-119. Paid maternity leave.

(a) As used in this section:

(1)(A) "Covered employer" means any person engaged in commerce
or in any industry or activity affecting commerce who employs fifty (50) or
more employees for each working day during each of twenty (20) or more
calendar workweeks in the current or preceding calendar year.

(B) "Covered employer" also includes any:

(i) Person acting directly or indirectly in the
interest of a covered employer to any of the employees of the employer;

(ii) Successor in interest of a covered employer;

and

(iii) Public agency; and

(2) "Eligible employee" means an individual who has been



employed with a covered employer:

(A) For at least twelve (12) months; and

(B) Is classified as a full-time employee.

(b)(1) A covered employer that covers abortions or travel expenses related to abortions for employees shall provide twelve (12) weeks of paid maternity leave to eligible employees who are employed in Arkansas.

(2) The paid maternity leave required under subdivision (b)(1) of this section shall be paid as:

(A) One hundred percent (100%) of the eligible employee's salary; or

(B) A twelve (12) week average weekly pay.

(c) Eligibility for paid maternity leave under this section is limited to eligible employees who are:

(1) Enrolled in the covered employer's health benefit plan; and

(2) Birth mothers.

(d) The paid maternity leave authorized under this section shall begin immediately following the birth of the eligible employee's child.

(e) A covered employer that provides paid maternity leave under this section is not required to submit additional information or recordkeeping to the state regarding the provision of the paid maternity leave to an eligible employee.

(f)(1) If a covered employer provides a more generous paid maternity leave benefit, the eligible employee is not limited to the twelve (12) weeks of paid maternity leave provided under this section.

(2) An eligible employee shall not be allowed to combine paid maternity leave benefits offered by the covered employer.

(g) A covered employer may meet the requirements of this section by combining paid maternity leave with other forms of paid leave at the compensation level associated with the leave in the covered employer's benefits package.

/s/Pilkington