

2 State of Arkansas
3 93rd General Assembly
4 Regular Session, 2021

A Bill

MLD/MLD
HOUSE BILL

5
6 By: Representative Love

7 Filed with: House Committee on State Agencies and Governmental Affairs
8 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

9
10 AN ACT TO ESTABLISH A CORONAVIRUS 19 (COVID-19) LEAVE
11 BANK FOR STATE EMPLOYEES; AND FOR OTHER PURPOSES.

Subtitle

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14 TO ESTABLISH A CORONAVIRUS 19 (COVID-19)
15 LEAVE BANK FOR STATE EMPLOYEES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 21-4-203, concerning the definitions in the
22 Uniform Attendance and Leave Policy Act, is amended to add additional
23 subdivisions to read as follows:

24 (15) "Coronavirus 2019 (COVID-19) leave" means leave that is
25 taken after a positive coronavirus 2019 (COVID-19) test result of an
26 employee, of the spouse of the employee, or of a child of the employee when
27 the child resides in the same household as the employee, that requires the
28 employee's absence from duty for a period of time due to illness, quarantine,
29 or isolation; and

30 (16) "Coronavirus 2019 (COVID-19) leave bank" means a pool of
31 leave funded for employees by a state agency specifically for coronavirus
32 2019 (COVID-19) leave.
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34 SECTION 2. Arkansas Code Title 21, Chapter 4, Subchapter 2, is amended
35 to add additional sections to read as follows:

1 21-4-218. Coronavirus 2019 (COVID-19) leave bank program for state
2 agencies.

3 (a)(1) The Department of Transformation and Shared Services shall have
4 administrative responsibility for developing, implementing, and maintaining
5 the statewide coronavirus 2019 (COVID-19) leave bank program.

6 (2) Each state agency shall participate in a coronavirus 2019
7 (COVID-19) leave bank to be administered by the Office of Personnel
8 Management under the program.

9 (b) A state agency shall fund the coronavirus 2019 (COVID-19) leave
10 bank with funds from the American Rescue Plan Act of 2021, Pub. L. No. 117-2.

11 (c) Coronavirus 2019 (COVID-19) leave with pay may be granted to an
12 employee when the employee is unable to perform his or her duties due to an
13 absence from work due to the need to quarantine or isolate or to care for a
14 spouse or child in quarantine or isolation.

15 (d)(1) An employee may be granted coronavirus 2019 (COVID-19) leave
16 without first having used:

17 (A) All available sick leave or annual leave; and

18 (B) Leave subject to the Family and Medical Leave Act of
19 1993, Pub. L. No. 103-3.

20 (2) While taking coronavirus 2019 (COVID-19) leave, an employee
21 shall:

22 (A) Be paid his or her regular salary;

23 (B) Accrue all other forms of leave; and

24 (C) Receive any other rights, privileges, and benefits to
25 which he or she is entitled.

26 (e) Up to two (2) consecutive weeks of coronavirus 2019 (COVID-19)
27 leave with full pay may be granted to an employee in a calendar year.

28 (f) The Secretary of the Department of Transformation and Shared
29 Services, or the secretary's designee, shall establish policies and
30 procedures:

31 (1) As deemed necessary to carry out the provisions of this
32 section; and

33 (2) To prescribe the standards and guidelines of the
34 extraordinary circumstances that the state agency director may use to
35 implement this section.

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1 21-4-219. Coronavirus 2019 (COVID-19) leave bank program for state
2 entities.

3 (a)(1) The following state entities may establish, develop, implement,
4 and maintain a coronavirus 2019 (COVID-19) leave bank program for the
5 employees of the state entity:

- 6 (A) The General Assembly;
- 7 (B) The Bureau of Legislative Research;
- 8 (C) Arkansas Legislative Audit;
- 9 (D) The Arkansas Department of Transportation;
- 10 (E) The Arkansas State Game and Fish Commission;
- 11 (F) The Supreme Court;
- 12 (G) The Court of Appeals;
- 13 (H) The Administrative Office of the Courts;
- 14 (I) A constitutional office; and
- 15 (J) Institutions of higher education.

16 (2) A state entity may fund the coronavirus 2019 (COVID-19)
17 leave bank with funds from the American Rescue Plan Act of 2021, Pub. L. No.
18 117-2.

19 (b) Coronavirus 2019 (COVID-19) leave with pay may be granted to an
20 employee when the employee is unable to perform his or her duties due to an
21 absence from work due to the need to quarantine or isolate or to care for a
22 spouse or child in quarantine or isolation.

23 (c)(1) An employee may be granted coronavirus 2019 (COVID-19) leave
24 without first having used:

- 25 (A) All available sick leave or annual leave; and
- 26 (B) Leave subject to the Family and Medical Leave Act of
27 1993, Pub. L. No. 103-3.

28 (2) While taking coronavirus 2019 (COVID-19) leave, an employee
29 shall:

- 30 (A) Be paid his or her regular salary;
- 31 (B) Accrue all other forms of leave; and
- 32 (C) Receive any other rights, privileges, and benefits to

33 which he or she is entitled.

34 (d) Up to two (2) consecutive weeks of coronavirus 2019 (COVID-19)
35 leave with full pay may be granted to an employee in a calendar year.

1 (e) The administrative head of a state entity, or his or her designee,
2 shall establish policies and procedures:

3 (1) As deemed necessary to carry out the provisions of this
4 section; and

5 (2) To prescribe the standards and guidelines of the
6 extraordinary circumstances that the state entity may use to implement this
7 section.

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10 Referred by Representative Love

11 Prepared by: MLD/MLD
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