

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4
5 By: Representative Vess

A Bill

HOUSE BILL 1681

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 21-4-214 TO PROVIDE AN
10 EMPLOYEE SHALL BE ELIGIBLE FOR CATASTROPHIC LEAVE ONLY IF
11 THE EMPLOYEE HAS ELECTED TO BE A PARTICIPANT IN THE
12 PROGRAM AND AGREED TO DONATE AT LEAST TWO DAYS TO THE
13 PROGRAM EACH YEAR; TO PROVIDE THAT AN EMPLOYEE WHO DONATES
14 ANNUAL OR SICK LEAVE TO THE STATE CATASTROPHIC LEAVE PLAN
15 SHALL BE ENTITLED TO A TAX DEDUCTION ON STATE INCOME TAXES
16 EQUAL TO HIS OR HER DAILY SALARY EQUIVALENT FOR A MAXIMUM
17 OF TWO DAYS EACH YEAR; AND FOR OTHER PURPOSES."

Subtitle

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19 "RELATING TO ELIGIBILITY OF STATE
20 EMPLOYEES TO PARTICIPATE IN STATE
21 CATASTROPHIC LEAVE PLAN AND TO RECEIVE
22 CATASTROPHIC LEAVE FROM THE LEAVE BANK."
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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27 SECTION 1. Arkansas Code 21-14-214 is amended to read as follows:

28 "21-4-214. Catastrophic leave program.

29 (a)(1) The Department of Finance and Administration shall have
30 administrative responsibility for developing, implementing, and
31 maintaining a catastrophic leave bank program.

32 (2) Each state agency approved by the Department of Finance and
33 Administration to participate in the catastrophic leave bank program may
34 establish a catastrophic leave bank for its employees, or the state
35 agency may participate in a catastrophic leave bank to be administered
36 by the Office of Personnel Management of the Department of Finance and

1 Administration. In either case, each employee of an agency establishing
 2 or participating in a catastrophic leave bank shall have the option to
 3 participate in the bank. An employee may elect to participate by filing
 4 a written election to do so and by signing an agreement to donate at
 5 least two (2) days of annual or sick leave to the bank each year.

6 (b) Accrued annual leave and sick leave of employees may be
 7 donated to a catastrophic leave bank.

8 (c) Catastrophic leave with pay may be granted to an employee
 9 when such employee is incapacitated for the performance of the
 10 employee's duties due to a catastrophic illness.

11 (d) An employee may be eligible for catastrophic leave when:

12 (1) The employee has been employed by the state for more than two
 13 (2) years and has exercised the option to participate in the plan and
 14 agreed to donate at least two (2) days of annual or sick leave to the
 15 plan each year, and has fulfilled such agreement through the last
 16 preceding calendar year;

17 (2) The employee has exhausted all earned sick and annual leave;

18 (3) The illness or injury is not covered by workers' compensation
 19 or such compensation benefit has been exhausted;

20 (4) An acceptable medical certificate from a physician supporting
 21 the continued absence is on file; and

22 (5) The employee has not been disciplined for any leave abuse
 23 during the past two (2) years.

24 (e) The Director of the Department of Finance and Administration,
 25 or his designee, shall promulgate necessary rules and regulations as
 26 deemed necessary to carry out the provisions of this section."
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28 SECTION 2. Each state employee who participates in a catastrophic
 29 leave program established by the Department of Finance and
 30 Administration pursuant to 21-4-214 shall be entitled to take a
 31 deduction from income in computing state income taxes in an amount equal
 32 to his or her daily salary equivalent for each day donated to the
 33 program bank, for a maximum of two (2) days per year.
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35 SECTION 3. All provisions of this act of a general and permanent
 36 nature are amendatory to the Arkansas Code of 1987 Annotated and the

1 Arkansas Code Revision Commission shall incorporate the same in the
2 Code.

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4 SECTION 4. If any provision of this act or the application
5 thereof to any person or circumstance is held invalid, such invalidity
6 shall not affect other provisions or applications of the act which can
7 be given effect without the invalid provision or application, and to
8 this end the provisions of this act are declared to be severable.

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10 SECTION 5. All laws and parts of laws in conflict with this act
11 are hereby repealed.

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