1	State of Arkansas	As Engrossed: S3/15/11 A Bill	
2	88th General Assembly		
3	Regular Session, 2011		SENATE BILL 858
4	Der Constan Mallace		
5	By: Senator Madison		
6 7		For An Act To Be Entitled	1
, 8	ΑΝ ΑΩΤ ΤΟ) ENSURE THE CONSTITUTIONALITY (
9	TO REQUIRE THAT PUTATIVE FATHERS BE PROVIDED NOTICE		
10	BEFORE AN ADOPTION IN CERTAIN CIRCUMSTANCES; TO AMEND		
11	PROVISIONS OF THE ADOPTION CODE; AND FOR OTHER		
12	PURPOSES		
13			
14			
15		Subtitle	
16	то	ENSURE THE CONSTITUTIONALITY OF	NOTICE
17	AND	TO REQUIRE THAT PUTATIVE FATHE	RS BE
18	PRO	VIDED NOTICE BEFORE AN ADOPTION	IN
19	CER	TAIN CIRCUMSTANCES; TO AMEND	
20	PRO	VISIONS OF THE ADOPTION CODE.	
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23	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE (OF ARKANSAS:
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25	SECTION 1. Arl	cansas Code § 9-9-212(a)(4), com	ncerning hearings on
26	adoption petitions,	is amended to add an additional	subdivision to read as
27	follows:		
28	(4) At 1	least twenty (20) days before th	ne date of hearing, notice
29	of the filing of the	petition and of the time and p	lace of hearing shall be
30	given by the petition	ner to:	
31	(A)	Any agency or person whose co	onsent to the adoption is
32	required by this sub	chapter but who has not consente	
33	(B)	1	
34	-	§ 9-9-207(a)(1), (2), (6), (8),	
35		Any putative father who has a	
36	<u>of paternity or has n</u>	<u>registered with the state's Puta</u>	<u>ative Father Registry.</u>



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2	SECTION 2. Arkansas Code Title 9, Chapter 9, Subchapter 1 is amended		
3	to add an additional section to read as follows:		
4	9-9-105. Employee leave for adoption.		
5	(a) As used in this section, "employer" means public and private		
6	employers, including state departments, agencies, and political subdivisions.		
7	(b)(1) An employer that permits paternity leave or maternity leave for		
8	a biological parent after the birth of a child shall permit paternity or		
9	maternity leave for an adoptive parent upon placement of an adoptive child in		
10	the adoptive parent's home if requested by the adoptive parent.		
11	(2) If the employer has established a policy that provides leave		
12	time for a biological parent after the birth of a child, the same policy		
13	shall apply to an adoptive parent upon placement of an adoptive child in the		
14	adoptive parent's home.		
15	(3) A request for additional leave due to the placement and		
16	adoption of an ill child or a child with a disability shall be considered by		
17	the employer on the same basis as comparable cases of complications		
18	accompanying the birth of a child to an employee or employee's spouse.		
19	(c) Any other benefit provided by an employer, such as job guarantee		
20	or pay guarantee, shall be available to both biological parents and adoptive		
21	parents equally.		
22	(d) An employer shall not penalize an employee for exercising his or		
23	her rights under this section.		
24	<u>(e) This section does not apply to an adoption:</u>		
25	(1) By the spouse of a custodial parent;		
26	(2) Of a person over eighteen (18) years of age; or		
27	(3) Of a foster child by the child's foster parents.		
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33	/s/Madison		
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