

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015

# A Bill

HOUSE BILL 1426

4  
5 By: Representative Tucker

## For An Act To Be Entitled

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8 AN ACT TO PERMIT PAID MATERNITY LEAVE FOR STATE  
9 EMPLOYEES; TO DECLARE AN EMERGENCY; AND FOR OTHER  
10 PURPOSES.

## Subtitle

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14 TO PERMIT PAID MATERNITY LEAVE FOR STATE  
15 EMPLOYEES; AND TO DECLARE AN EMERGENCY.

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

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20 SECTION 1. Arkansas Code § 21-4-203, concerning the definitions used  
21 in the Uniform Attendance and Leave Policy Act, is amended to add an  
22 additional subdivision to read as follows:

23 (18) "Paid maternity leave" means leave with pay for an employee  
24 for the birth of the employee's child.

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26 SECTION 2. Arkansas Code § 21-4-209 is amended to read as follows:  
27 21-4-209. Maternity leave.

28 (a)(1) An employee is eligible to obtain paid maternity leave if the  
29 employee has:

30 (A) Been appointed or employed in a position of state  
31 service by any of the following governmental entities for which he or she is  
32 compensated on a full-time basis and for which he or she has been  
33 continuously employed for more than one (1) year:

34 (i) The same state agency;

35 (ii) The General Assembly;

36 (iii) The Bureau of Legislative Research;



1                   (iv) The Division of Legislative Audit;  
 2                   (v) The Arkansas State Highway and Transportation  
 3 Department;  
 4                   (vi) The Arkansas State Game and Fish Commission;  
 5                   (vii) The Supreme Court;  
 6                   (viii) The Court of Appeals; or  
 7                   (ix) A state constitutional officer, including  
 8 without limitation:

- 9                   (a) The Governor;
- 10                  (b) The Lieutenant Governor;
- 11                  (c) The Secretary of State;
- 12                  (d) The Attorney General;
- 13                  (e) The Auditor of State;
- 14                  (f) The Treasurer of State; and
- 15                  (g) The Commissioner of State Lands; and

16                   (B) Applied in writing for paid maternity leave.

17                   (2) An employee who is granted maternity leave under this  
 18 section shall be paid his or her salary in an amount up to five hundred  
 19 dollars (\$500) each week for six (6) consecutive weeks of maternity leave.

20                   (b)(1) If paid maternity leave is granted to an employee under this  
 21 section, the employee shall use the paid maternity leave before the employee  
 22 uses the following:

- 23                   (A) Unpaid maternity leave;
- 24                   (B) Earned sick leave;
- 25                   (C) Earned annual leave;
- 26                   (D) Earned compensatory leave;
- 27                   (E) Catastrophic leave; and
- 28                   (F) Leave without pay.

29                   (2) An employee eligible for paid maternity leave may choose not  
 30 to use the paid maternity leave and may use other leave the employee is  
 31 eligible to use under this subchapter.

32                   (c) Paid maternity leave shall be used concurrently with any unpaid  
 33 maternity leave that is granted under federal or state law.

34                   (d)(1) Maternity Unpaid maternity leave shall be treated as any other  
 35 leave for sickness or disability.

36                   (2) Accumulated sick leave and annual leave, if requested by the

1 employee, shall be granted for unpaid maternity use, after which leave  
2 without pay may be used.

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4 SECTION 3. Arkansas Code § 21-4-210(c)(1)(A), concerning a state  
5 employee's leave of absence without pay, is amended to read as follows:

6 (c)(1)(A) Except in accordance with § 21-4-212 and in the case of  
7 unpaid maternity leave or paid maternity leave under § 21-4-209, leave of  
8 absence without pay shall not be granted until all of the employee's  
9 accumulated annual leave has been exhausted.

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11 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the  
12 General Assembly of the State of Arkansas that current state employees are  
13 not given paid leave for the birth of a child; that paid leave for the birth  
14 of a child is necessary to promote financially secure families, to allow a  
15 parent time to nurture a child, and to promote family values; and that this  
16 act is immediately necessary because the state needs to support state  
17 employees who need to take leave to nurture a young child, to encourage  
18 family values, and to encourage financial independence of a state employee  
19 who is also a parent. Therefore, an emergency is declared to exist, and this  
20 act being immediately necessary for the preservation of the public peace,  
21 health, and safety shall become effective on:

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

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

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