

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: S3/29/23

A Bill

SENATE BILL 426

5 By: Senator Irvin
6 By: Representatives Gazaway, *Vaught*
7

For An Act To Be Entitled

9 AN ACT TO EXTEND MATERNITY LEAVE FOR STATE EMPLOYEES;
10 TO AMEND THE LAW CONCERNING THE CATASTROPHIC LEAVE
11 PROGRAM; TO DECLARE AN EMERGENCY; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 TO EXTEND MATERNITY LEAVE FOR STATE
16 EMPLOYEES; TO AMEND THE LAW CONCERNING
17 THE CATASTROPHIC LEAVE PROGRAM; AND TO
18 DECLARE AN EMERGENCY.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 21-4-214(d)(2), concerning the catastrophic
25 leave program and maternity leave, is amended to read as follows:

26 (2) The employee is female, and the catastrophic leave is to be
27 used for maternity purposes after:

28 (A) The birth of the employee's biological child; ~~or~~

29 (B) The placement of an adoptive child under one (1) year
30 of age in the home of the employee; or

31 (C) The foster placement of an infant under one (1) year
32 of age;
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34 SECTION 2. Arkansas Code § 21-4-214(e)(1)-(3), concerning the
35 catastrophic leave program and maternity leave, are amended to read as
36 follows:



1 (e)(1) Up to ~~four (4)~~ twelve (12) consecutive weeks of catastrophic
2 leave with full pay may be granted to an employee for maternity purposes.

3 (2) The employee shall be eligible for the leave only within the
4 first twelve (12) weeks after the birth, foster, or adoption of a child.

5 (3) After the expiration of the ~~four (4)~~ twelve (12) weeks of
6 leave under subdivision (e)(1) of this section, maternity leave shall be
7 treated as any other leave for sickness or disability under § 21-4-209.

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9 SECTION 3. Arkansas Code § 21-4-214(e), concerning the catastrophic
10 leave program and maternity leave, is amended to add an additional
11 subdivision to read as follows:

12 (5) The employee shall not be eligible for an additional twelve
13 (12) weeks of leave for the adoption of a child if the employee took twelve
14 (12) weeks of leave after the initial foster placement of the same child into
15 the employee's home.

16
17 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
18 General Assembly of the State of Arkansas that maternity leave improves
19 maternal and infant health, improves the mental and physical health of state
20 employees after the birth of a child, and potentially reduces future use of
21 sick leave; that maternity leave for adoptive children and foster children
22 will encourage adoption and fostering by state employees; that paid maternity
23 leave can increase employee retention and attract and retain new talent; and
24 that this act is immediately necessary because state employees' maternal and
25 infant needs are ongoing and of vital importance. Therefore, an emergency is
26 declared to exist, and this act being immediately necessary for the
27 preservation of the public peace, health, and safety shall become effective
28 on:

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

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

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

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36 /s/Irvin