

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.

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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 APPROVED: 4/12/23