

SECOND REGULAR SESSION

SENATE BILL NO. 520

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Pre-filed December 1, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

4439S.01I

AN ACT

To repeal section 105.271, RSMo, and to enact in lieu thereof one new section relating to leave for public employees.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 105.271, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 105.271, to read as follows:

105.271. 1. [An] A **foster or** adoptive parent who is employed by the
2 state of Missouri, its departments, agencies, or political subdivisions, may use his
3 or her accrued sick leave, annual leave, or the same leave without pay granted
4 to biological parents to take time off for purposes of arranging for the **foster or**
5 adopted child's placement or caring for the child after placement. The employer
6 shall not penalize an employee for requesting or obtaining time off according to
7 this section.

8 2. **The state of Missouri, its departments, agencies, and political**
9 **subdivisions shall provide for a leave sharing program to permit its**
10 **employees to donate annual leave, overtime, or compensatory time to**
11 **an employee who is arranging for a foster or adopted child's placement**
12 **or caring for the child after placement, which has caused or is likely to**
13 **cause such employee to take leave without pay or to terminate**
14 **employment. Such donated annual leave, overtime, or compensatory**
15 **time shall be transferrable between employees in different**
16 **departments, agencies, or political subdivisions of the state, with the**
17 **agreement of the chief administrative officers of such departments,**
18 **agencies, or political subdivisions.**

19 3. **Any donated annual leave, overtime, or compensatory time**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 authorized under this section shall only be used by the recipient
21 employee for purposes of arranging for the foster or adopted child's
22 placement or caring for the child after placement. Nothing in this
23 section shall be construed as prohibiting a leave sharing program for
24 other purposes.

25 4. All forms of paid leave available for use by the recipient
26 employee shall be used prior to using donated annual leave, overtime,
27 or compensatory time.

28 5. All donated annual leave, overtime, or compensatory time
29 shall be given voluntarily. No employee shall be coerced, threatened,
30 intimidated, or financially induced into donating annual leave,
31 overtime, or compensatory time for purposes of the leave sharing
32 program.

33 6. For purposes of this section, the phrase "foster or adoptive
34 parent" refers to both those pursuing to foster or adopt a child and
35 those who have had a foster or adopted child placed in the home. The
36 phrase "for purposes of arranging for the foster or adopted child's
37 placement or caring for the child after placement" includes, but is not
38 limited to:

39 (1) Appointments with state officials, child placing agencies,
40 social workers, health professionals, or attorneys;

41 (2) Court proceedings;

42 (3) Required travel;

43 (4) Training and licensure as a foster parent;

44 (5) Any periods of time during which foster or adoptive parents
45 are ordered or required by the state, a child placing agency, or by a
46 court to take time off from work to care for the foster or adopted child;
47 or

48 (6) Any other activities necessary to allow the foster care or
49 adoption to proceed.

50 7. A stepparent, as defined in section 453.015, who is employed by the
51 state of Missouri, its departments, agencies, or political subdivisions, may use his
52 or her accrued sick leave, annual leave or the same leave without pay granted to
53 biological parents to take time off to care for his or her stepchild. The employer
54 shall not penalize an employee for requesting or obtaining time off according to
55 this section.

56 [3.] 8. The leave authorized by this section may be requested by the

57 employee only if the employee is the person who is primarily responsible for
58 furnishing the care and nurture of the child.

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Unofficial

Bill

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