

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 873,  
2 Page 4, Section 37.710, Line 45, by inserting after all of said section and line the following:

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

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

17 3. Any donated annual leave, overtime, or compensatory time authorized under this section  
18 shall only be used by the recipient employee for purposes of arranging for the foster or adopted  
19 child's placement or caring for the child after placement. Nothing in this section shall be construed  
20 as prohibiting a leave sharing program for other purposes.

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

23 5. All donated annual leave, overtime, or compensatory time shall be given voluntarily. No  
24 employee shall be coerced, threatened, intimidated, or financially induced into donating annual  
25 leave, overtime, or compensatory time for purposes of the leave sharing program.

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

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

32 (2) Court proceedings;

33 (3) Required travel;

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

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

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1 adopted child; or

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

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

8 [3.] 8. The leave authorized by this section may be requested by the employee only if the  
9 employee is the person who is primarily responsible for furnishing the care and nurture of the child.

10 9. The commissioner of administration may promulgate rules as necessary to implement the  
11 provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010,  
12 that is created under the authority delegated in this section shall become effective only if it complies  
13 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This  
14 section and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
15 under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are  
16 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
17 adopted after August 28, 2014, shall be invalid and void."; and

18  
19 Further amend said bill by amending the title, enacting clause, and intersectional references  
20 accordingly.