

FIRST REGULAR SESSION

HOUSE BILL NO. 639

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MATTHIESEN.

0943H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 168, RSMo, by adding thereto one new section relating to parental leave for school employees.

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

Section A. Chapter 168, RSMo, is amended by adding thereto one new section, to be
2 known as section 168.042, to read as follows:

168.042. 1. As used in this section, the following terms mean:

2 (1) "Cost sharing", joint, equal responsibility for the cost shared between the
3 state of Missouri and a school district or a charter school that employs an individual
4 deemed education personnel;

5 (2) "Department", the department of elementary and secondary education;

6 (3) "Education personnel", an individual employed full time by a school district
7 or charter school in Missouri for more than one year;

8 (4) "Parental leave", partially or fully compensated time away from work within
9 the first twelve weeks following the:

10 (a) Birth of a biological child to an individual deemed education personnel; or

11 (b) Placement of an adoptive child in the home of an individual deemed
12 education personnel.

13 2. The department shall establish a standard cost-sharing agreement for
14 parental leave expenses between the department and a school district or charter school
15 that elects to participate under this section.

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **3. At a minimum, such cost-sharing agreement shall obligate the state and the**
17 **school district or charter school to each pay fifty percent of incurred costs for approved**
18 **parental leave.**

19 **4. (1) Parental leave shall not be counted against annual leave or sick leave.**

20 **(2) Annual leave and sick leave shall continue to accrue while an individual**
21 **deemed education personnel uses parental leave.**

22 **(3) An individual deemed education personnel shall not be required to deplete**
23 **such individual's accrued annual leave or sick leave before such individual is allowed to**
24 **use parental leave.**

25 **(4) Holidays shall not be counted against parental leave.**

26 **(5) If an individual deemed education personnel is eligible for parental leave**
27 **under the federal Family and Medical Leave Act of 1993, as amended, parental leave**
28 **used under this section shall run concurrently with leave used under such federal act.**

29 **5. The department:**

30 **(1) Shall promulgate rules establishing:**

31 **(a) Participation in and management of a cost-sharing program established**
32 **under this section;**

33 **(b) Reimbursement requirements and processes; and**

34 **(c) Other related requirements and procedures necessary to implement this**
35 **section; and**

36 **(2) May promulgate all necessary rules and regulations for the administration of**
37 **this section. Any rule or portion of a rule, as that term is defined in section 536.010, that**
38 **is created under the authority delegated in this section shall become effective only if it**
39 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
40 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
41 **vested with the general assembly pursuant to chapter 536 to review, to delay the**
42 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
43 **then the grant of rulemaking authority and any rule proposed or adopted after the**
44 **effective date of this act shall be invalid and void.**

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