

Sixty-fourth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1244

Introduced by

Representatives Haak, Beadle, Kretschmar, Maragos, Muscha, Seibel

Senators Davison, Oban, Poolman, Sorvaag

1 A BILL ~~for an Act to create and enact section 54-06-14.5 of the North Dakota Century Code,~~  
2 ~~relating to use of state employee sick leave for adoption of a child.~~for an Act to amend and  
3 reenact section 54-06-14.5 of the North Dakota Century Code as created by section 1 of House  
4 Bill No. 1387, as approved by the sixty-fourth legislative assembly, relating to state employee  
5 use of sick leave and annual leave.

6 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

7 ~~SECTION 1. Section 54-06-14.5 of the North Dakota Century Code is created and enacted~~  
8 ~~as follows:~~

9 ~~54-06-14.5. Sick leave for adoption of child.~~

10 ~~1. During the first twelve months following placement, an employer shall grant an~~  
11 ~~employee's request to use sick leave under section 54-06-14 to care for a child placed~~  
12 ~~with the employee, by a child placing agency licensed under chapter 50-12, for~~  
13 ~~adoption or placed with the employee as a precondition to adoption under section~~  
14 ~~14-15-12, but not both.~~

15 ~~2. The use of sick leave under this section is limited to the first twelve months of the child~~  
16 ~~living in the employee's home. During any twelve-month period, an employee may not~~  
17 ~~use more than six weeks of sick leave under this section and the sick leave must~~  
18 ~~conclude within the first twelve months following placement.~~

19 ~~3. The sick leave required by this section supplements any leave otherwise available to~~  
20 ~~an employee.~~

21 SECTION 1. AMENDMENT. Section 54-06-14.5 of the North Dakota Century Code as  
22 created by section 1 of House Bill No. 1387, as approved by the sixty-fourth legislative  
23 assembly, is amended and reenacted as follows:

1 **54-06-14.5. Use of sick leave and annual leave - Birth or adoption - Family leave**

2 **priority.**

- 3 1. During the first six ~~weeks~~months following birth or placement, an employer shall grant  
4 an employee's request to use up to ~~one hundred sixty hours~~six weeks of sick leave  
5 under section 54-06-14 to care for the employee's newborn child or to care for a child  
6 placed with the employee, by a child-placing agency licensed under chapter 50-12, for  
7 adoption or placed with the employee as a precondition to adoption under section  
8 14-15-12, but not both. The employer shall compensate the employee for leave used  
9 by the employee under this subsection on the same basis as the employee would be  
10 compensated if the leave had been taken due to the employee's illness, medical  
11 needs, or health needs. This subsection does not prevent an employee from using  
12 sick leave for the employee's illness, medical needs, or health needs following the  
13 birth of a child or from using leave under section 54-52.4-03.
- 14 2. If an employee requests to use annual leave under section 54-06-14 for any of the  
15 reasons identified under subsection 1 of section 54-52.4-02, the employer shall give  
16 priority to the request.