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## SENATE BILL NO. 1135

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance  
on January 27, 2015)

(Patron Prior to Substitute—Senator Garrett)

A *BILL to amend the Code of Virginia by adding in Chapter 12 of Title 2.2 a section numbered 2.2-1209, relating to adoption leave benefit.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Chapter 12 of Title 2.2 a section numbered 2.2-1209 as follows:**

**§ 2.2-1209. Adoption leave benefit.**

A. *On and after July 1, 2015, the Department shall implement and administer an adoption leave program for full-time state employees with one or more years of continuous employment with the Commonwealth who adopt an infant under one year of age. Such employees shall be eligible to receive six weeks of adoption leave, comparable to the amount of leave awarded for maternity leave under the Sickness and Disability Program pursuant to Chapter 11 (§ 51.1-1100 et seq.) of Title 51.1, as provided in subsection B to account for absence due to the care of the infant, provided that the employee gives reasonable prior notice to his agency head of the intent to adopt and take adoption leave.*

B. *Upon the expiration of a seven-day waiting period, which shall commence on the day that the employee takes custody of the infant, adoption leave coverage shall provide income replacement for a percentage of an eligible employee's creditable compensation for the remainder of the six-week period as follows:*

*1. Except as provided in subdivision 2:*

	Work days of 100% replacement of creditable compensation	Work days of 80% replacement of creditable compensation
Months of state service		
Less than 60	5	20
60 or more	25	0

*2. For eligible employees commencing employment or reemployment on or after July 1, 2009:*

	Work days of 100% replacement of creditable compensation	Work days of 60% replacement of creditable compensation
Months of state service		
Less than 60	0	25
60 or more	25	0

C. *If two state employees are eligible for adoption leave for the same infant, only one such employee shall be eligible for leave pursuant to this section.*

D. *The Department shall develop guidelines and policies for the implementation of the adoption leave benefit.*

**2. That the provisions of this act shall apply only to an eligible state employee who takes custody of an infant in the course of an adoption on or after July 1, 2015. The benefits provided by this act shall not apply retroactively to adoptions occurring prior to July 1, 2015.**

**3. That the provisions of this act shall not become effective unless an appropriation effectuating the purposes of this act is included in a general appropriation act passed in 2015 by the General Assembly that becomes law.**