Session of 2025

SENATE BILL No. 153

By Senator Schmidt

2-3

AN ACT concerning labor and employment; establishing the Kansas paid prenatal personal leave act; requiring employers to provide paid prenatal personal leave.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) The provisions of this section shall be known and may be cited as the Kansas paid prenatal personal leave act.

(b) On and after January 1, 2026, every employer shall be required to provide to its employees 20 hours of paid prenatal personal leave during the calendar year. Paid prenatal personal leave shall mean leave taken for the healthcare services received by an employee during their pregnancy or related to such pregnancy, including physical examinations, medical procedures, monitoring and testing and discussions with a healthcare provider related to the pregnancy. Paid prenatal personal leave may be taken in hourly increments. Benefits for paid prenatal personal leave shall be paid in hourly installments. Employees shall receive compensation at the employee's regular rate of pay, or the applicable minimum wage, whichever is greater, for the use of paid prenatal personal leave. Nothing in this section shall be construed to require an employer to pay an employee for unused paid prenatal leave upon such employee's termination, resignation, retirement or other separation from employment.

(c) An employer may not require the disclosure of confidential information relating to the health condition of such employee as a condition of providing paid prenatal personal leave pursuant to this section.

(d) Upon return to work following any paid prenatal leave taken pursuant to this section, an employee shall be restored by their employer to the position of employment held by such employee prior to any paid prenatal leave taken pursuant to this section with the same pay and other terms and conditions of employment.

(e) Nothing in this section shall be construed to prohibit or prevent an employer from providing an amount of paid prenatal personal leave in excess of the requirements set forth in this section or from adopting a paid leave policy that provides additional benefits to employees.

(f) (1) An employer or their agent, an officer or agent of any corporation, partnership or limited liability company or any other person

shall not discharge, threaten, penalize or in any other manner discriminate or retaliate against any employee because such employee has exercised their rights afforded under this section, including, but not limited to, requesting paid prenatal leave and using paid prenatal leave.

(2) Any employee or former employee aggrieved by a violation of this section, the department of labor or the attorney general may bring a civil action in a court of competent jurisdiction against an employer violating this act. Upon prevailing in an action brought pursuant to this section, employees and former employees shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation, including, but not limited to, reinstatement to employment, back pay and injunctive relief.

(g) The department of labor shall conduct a public awareness outreach campaign that includes making information available on its website and informing employers and employees of the provisions of this section.

(h) The secretary of labor may adopt such rules and regulations as are necessary to implement and administer this section.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.