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# HOUSE FILE No. 219

## *SECOND COMMITTEE ENGROSSMENT*

January 18, 2007

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The bill was read for the first time and referred to the Higher Education and Work Force Development Policy and Finance Division

February 5, 2007

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Commerce and Labor

March 1, 2007

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Finance

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*Referred by Chair to State Government Finance Division.*

March 18, 2008

*Returned to the Committee on Finance as Amended.*

1.1 A bill for an act  
1.2 relating to employment; modifying use of personal sick leave benefits; amending  
1.3 Minnesota Statutes 2006, section 181.9413.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2006, section 181.9413, is amended to read:

1.6 **181.9413 SICK-OR-INJURED-CHILD-CARE LEAVE BENEFITS; USE TO**  
1.7 **CARE FOR CERTAIN RELATIVES.**

1.8 (a) An employee may use personal sick leave benefits provided by the employer  
1.9 for absences due to an illness of or injury to the employee's child, spouse, sibling, parent,  
1.10 grandparent, stepparent, or domestic partner for such reasonable periods as the employee's  
1.11 attendance ~~with the child~~ may be necessary, on the same terms upon which the employee  
1.12 is able to use sick leave benefits for the employee's own illness or injury. This section  
1.13 applies only to personal sick leave benefits payable to the employee from the employer's  
1.14 general assets.

1.15 (b) For purposes of this section, "personal sick leave benefits" means time accrued  
1.16 and available to an employee to be used as a result of absence from work due to personal  
1.17 illness or injury, but does not include short-term or long-term disability or other salary  
1.18 continuation benefits.

1.19 (c) For purposes of this section, "domestic partner" means a person who has entered  
1.20 into a committed interdependent relationship with another adult, where the partners:

1.21 (1) are responsible for each other's basic common welfare;

1.22 (2) share a common residence and intend to do so indefinitely;

1.23 (3) are not related by blood or adoption to an extent that would prohibit marriage in  
1.24 this state; and

2.1 (4) are legally competent and qualified to enter into a contract.

2.2 For purposes of this section, domestic partners may share a common residence even  
2.3 if they do not have a legal right to possess the residence or one or both domestic partners  
2.4 possess additional real property.

2.5 If one domestic partner temporarily leaves the common residence with the intention  
2.6 to return, the domestic partners continue to share a common residence for the purposes  
2.7 of this section.

2.8 (d) This section only applies to employers that do not already have policies or a  
2.9 provision in a labor agreement in place to allow for the use of sick leave for a spouse,  
2.10 sibling, parent, grandparent, or stepparent.

2.11 **EFFECTIVE DATE.** This section is effective August 1, 2008, and applies to sick  
2.12 leave used on or after that date.