

HOUSE BILL 1335

K3, P4

3lr1609

By: **Delegates A. Miller, A. Kelly, Cullison, Kaiser, Pena-Melnyk, and S. Robinson**

Introduced and read first time: February 8, 2013

Assigned to: Economic Matters and Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Short-Term Disability Insurance for Pregnancy –**
3 **Requirement**

4 FOR the purpose of requiring certain employers to offer certain short-term disability
5 insurance to employees who are pregnant; requiring, under certain
6 circumstances, the employer to pay a certain percentage of the premium costs of
7 the short-term disability insurance; requiring that the short-term disability
8 insurance provide income replacement for a certain number of days for certain
9 employees; specifying the percentage of income that must be replaced under
10 certain circumstances; defining certain terms; and generally relating to
11 short-term disability insurance for pregnancy.

12 BY adding to

13 Article – Labor and Employment

14 Section 3-713

15 Annotated Code of Maryland

16 (2008 Replacement Volume and 2012 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Labor and Employment**

20 **3-713.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
22 **MEANINGS INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) (I) “EMPLOYER” MEANS A PERSON ENGAGED IN A**
2 **BUSINESS, AN INDUSTRY, A PROFESSION, A TRADE, OR ANY OTHER ENTERPRISE**
3 **IN THE STATE.**

4 **(II) “EMPLOYER” INCLUDES:**

- 5 1. **THE STATE AND ITS UNITS;**
- 6 2. **A COUNTY AND ITS UNITS; AND**
- 7 3. **A MUNICIPAL GOVERNMENT IN THE STATE.**

8 **(3) “MATERNITY LEAVE” MEANS TIME OFF WORK THAT IS TAKEN**
9 **BY AN EMPLOYEE WHO HAS GIVEN BIRTH TO A CHILD.**

10 **(B) (1) AN EMPLOYER SHALL OFFER SHORT-TERM DISABILITY**
11 **INSURANCE THAT MEETS THE REQUIREMENTS OF SUBSECTION (C) OF THIS**
12 **SECTION TO AN EMPLOYEE WHO IS PREGNANT.**

13 **(2) IF AN EMPLOYEE ACCEPTS AN OFFER OF SHORT-TERM**
14 **DISABILITY INSURANCE MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION,**
15 **THE EMPLOYER SHALL PAY 80% OF THE PREMIUM COSTS OF THE INSURANCE.**

16 **(C) (1) THE SHORT-TERM DISABILITY INSURANCE SHALL PROVIDE**
17 **INCOME REPLACEMENT FOR A PERCENTAGE OF THE EMPLOYEE’S INCOME FOR:**

18 **(I) 125 WORK DAYS FOR AN EMPLOYEE WHO IS UNABLE TO**
19 **WORK DUE TO A CONDITION RELATED TO THE EMPLOYEE’S PREGNANCY; AND**

20 **(II) 30 WORK DAYS FOR AN EMPLOYEE WHO IS ON**
21 **MATERNITY LEAVE.**

22 **(2) THE PERCENTAGE OF THE EMPLOYEE’S INCOME THAT SHALL**
23 **BE REPLACED BY THE SHORT-TERM DISABILITY INSURANCE IS AS FOLLOWS:**

24 **(I) FOR AN EMPLOYEE WHO HAS BEEN EMPLOYED BY THE**
25 **EMPLOYER FOR LESS THAN 60 MONTHS:**

- 26 1. **100% FOR UP TO 5 WORK DAYS;**
- 27 2. **80% FOR UP TO AN ADDITIONAL 20 WORK DAYS;**

28 **AND**

