

# SENATE BILL 147

P4

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By: **Senator Manno**

Introduced and read first time: January 10, 2014

Assigned to: Finance

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## A BILL ENTITLED

AN ACT concerning

### **State Personnel – Employees in Legislative Branch of State Government – Sick Leave Incentive Program**

FOR the purpose of altering the applicability of certain provisions of law governing the Sick Leave Incentive Program for State employees to include employees in the Legislative Branch of State government; and generally relating to legislative employees and the Sick Leave Incentive Program.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 9–1201  
Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 9–1202 through 9–1204  
Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)

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

### **Article – State Personnel and Pensions**

9–1201.

Except as otherwise provided, this subtitle applies to employees **IN THE LEGISLATIVE BRANCH OF STATE GOVERNMENT, EMPLOYEES** in the State

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Personnel Management System, and employees in the Transportation Service Human Resources Management System.

9-1202.

(a) There is a Sick Leave Incentive Program for State employees that allows for the payment for unused sick leave.

(b) The Secretary shall adopt regulations to administer the Program.

(c) A unit that participates in this Program shall submit to the Secretary at the end of each calendar year a report that includes:

- (1) the number of employees receiving payment for unused sick leave;
- (2) the total payment received by employees;
- (3) the number of unused sick leave hours exchanged for payment;
- (4) the total sick leave hours used during the calendar year; and
- (5) any estimated overtime savings as a result of this Program.

9-1203.

(a) The Sick Leave Incentive Program consists of the following two incentives:

(1) payment for up to 40 hours of unused sick leave per calendar year if an employee has used no more than 40 hours of sick leave during the calendar year and has a sick leave balance of at least 240 hours on December 31 of that calendar year; and

(2) payment for up to 56 hours of unused sick leave per calendar year if an employee has used no more than 24 hours of sick leave during the calendar year and has a sick leave balance of at least 240 hours on December 31 of that calendar year.

(b) To be eligible for the Program, an employee shall maintain a sick leave balance of at least 240 hours after payment is received for leave.

(c) (1) For the purpose of determining eligibility for the Program, the following use of leave does not qualify as sick leave usage:

- (i) sick leave that is used for a death in the immediate family;

(ii) sick leave that is donated to another employee in accordance with the provisions of the Employee-to-Employee Leave Donation Program;

(iii) sick leave that is donated to the State Employees' Leave Bank; and

(iv) sick leave that is taken in accordance with the Family and Medical Leave Act.

(2) Leave used for the purpose stated in paragraph (1)(iv) of this subsection shall not be used to determine an employee's leave balance under subsection (b) of this section.

9-1204.

The payment, sick leave usage rate, and sick leave balance for a part-time employee will be prorated based on the employee's percentage of employment.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.