

HOUSE BILL 776

P4

5lr1947
CF SB 687

By: **Delegate Kelly**

Introduced and read first time: February 13, 2015

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – Parental Leave**

3 FOR the purpose of providing that certain State employees may be entitled to parental
4 leave with pay under certain circumstances; establishing the maximum number of
5 days of parental leave that certain employees may use for the care and nurturing of
6 a child following the birth or adoption of the child; providing that an employee may
7 use parental leave only after obtaining approval from the employee's appointing
8 authority; prohibiting an employee who uses parental leave from receiving certain
9 payment unless the employee takes a certain action; requiring the Secretary of
10 Budget and Management to adopt certain regulations; and generally relating to
11 parental leave for State employees.

12 BY repealing and reenacting, without amendments,
13 Article – State Personnel and Pensions
14 Section 9–1101
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2014 Supplement)

17 BY adding to
18 Article – State Personnel and Pensions
19 Section 9–1108
20 Annotated Code of Maryland
21 (2009 Replacement Volume and 2014 Supplement)

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

24 **Article – State Personnel and Pensions**

25 9–1101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Except as otherwise provided in this subtitle, this subtitle applies to all employees
2 in the State Personnel Management System, except temporary employees.

3 **9-1108.**

4 (A) ON REQUEST, AN EMPLOYEE SUBJECT TO THIS SECTION MAY BE
5 ENTITLED TO PARENTAL LEAVE WITH PAY.

6 (B) AN EMPLOYEE WHO IS RESPONSIBLE FOR THE CARE AND NURTURING
7 OF A CHILD MAY USE UP TO 30 DAYS OF PARENTAL LEAVE TO CARE FOR THE CHILD
8 DURING THE PERIOD IMMEDIATELY FOLLOWING:

9 (1) THE BIRTH OF THE EMPLOYEE'S CHILD; OR

10 (2) THE PLACEMENT OF THE CHILD WITH THE EMPLOYEE FOR
11 ADOPTION.

12 (C) IF TWO EMPLOYEES ARE RESPONSIBLE FOR THE CARE AND NURTURING
13 OF A CHILD, BOTH EMPLOYEES IN AGGREGATE MAY USE UP TO 40 DAYS, NOT TO
14 EXCEED 30 DAYS FOR ONE EMPLOYEE, OF PARENTAL LEAVE TO CARE FOR THE
15 CHILD DURING THE PERIOD IMMEDIATELY FOLLOWING:

16 (1) THE BIRTH OF THE EMPLOYEES' CHILD; OR

17 (2) THE PLACEMENT OF THE CHILD WITH THE EMPLOYEES FOR
18 ADOPTION.

19 (D) AN EMPLOYEE MAY USE PARENTAL LEAVE ONLY AFTER OBTAINING
20 APPROVAL FROM THE EMPLOYEE'S APPOINTING AUTHORITY.

21 (E) (1) AN EMPLOYEE WHO USES PARENTAL LEAVE FOLLOWING THE
22 BIRTH OF THE EMPLOYEE'S CHILD MAY NOT RECEIVE PAYMENT UNDER THIS
23 SECTION UNLESS THE EMPLOYEE GIVES THE EMPLOYEE'S IMMEDIATE SUPERVISOR
24 INFORMATION REQUIRED BY GUIDELINES ISSUED BY THE SECRETARY ON THE
25 FEDERAL FAMILY AND MEDICAL LEAVE ACT OF 1993.

26 (2) AN EMPLOYEE WHO USES PARENTAL LEAVE FOR ADOPTION
27 PURPOSES MAY NOT RECEIVE PAYMENT UNDER THIS SUBTITLE UNLESS THE
28 EMPLOYEE GIVES THE EMPLOYEE'S IMMEDIATE SUPERVISOR THE CERTIFICATE
29 REQUIRED BY GUIDELINES ISSUED BY THE SECRETARY ON THE FEDERAL FAMILY
30 AND MEDICAL LEAVE ACT OF 1993.

1 **(F) THE SECRETARY SHALL ADOPT REGULATIONS GOVERNING PARENTAL**
2 **LEAVE, INCLUDING REGULATIONS THAT ESTABLISH CONDITIONS AND PROCEDURES**
3 **FOR REQUESTING AND APPROVING PARENTAL LEAVE.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2015.