

HOUSE BILL 775

P4
HB 776/15 – APP

8lr2765
CF 8lr0465

By: **Delegate Kelly**

Introduced and read first time: February 1, 2018

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Employees – 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 within a certain amount of time following the birth or adoption of the child;
7 providing that an employee may use parental leave only after obtaining approval
8 from the employee's appointing authority; prohibiting an employee who uses
9 parental leave from receiving certain payment unless the employee takes a certain
10 action; requiring the Secretary of Budget and Management to adopt certain
11 regulations; and generally relating to 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 (2015 Replacement Volume and 2017 Supplement)

17 BY adding to
18 Article – State Personnel and Pensions
19 Section 9–1108
20 Annotated Code of Maryland
21 (2015 Replacement Volume and 2017 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) THIS SECTION APPLIES TO ALL EMPLOYEES IN THE LEGISLATIVE AND**
5 **EXECUTIVE BRANCHES OF STATE GOVERNMENT.**

6 **(B) ON REQUEST, AN EMPLOYEE SUBJECT TO THIS SECTION MAY BE**
7 **ENTITLED TO PARENTAL LEAVE WITH PAY.**

8 **(C) AN EMPLOYEE WHO IS RESPONSIBLE FOR THE CARE AND NURTURING**
9 **OF A CHILD MAY USE UP TO 60 DAYS OF PARENTAL LEAVE TO CARE FOR THE CHILD**
10 **DURING THE PERIOD WITHIN 1 YEAR FOLLOWING:**

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

12 **(2) THE PLACEMENT OF THE CHILD WITH THE EMPLOYEE FOR**
13 **ADOPTION.**

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

16 **(E) (1) AN EMPLOYEE WHO USES PARENTAL LEAVE FOLLOWING THE**
17 **BIRTH OF THE EMPLOYEE'S CHILD MAY NOT RECEIVE PAYMENT UNDER THIS**
18 **SECTION UNLESS THE EMPLOYEE GIVES THE EMPLOYEE'S IMMEDIATE SUPERVISOR**
19 **INFORMATION REQUIRED BY GUIDELINES ISSUED BY THE SECRETARY ON THE**
20 **FEDERAL FAMILY AND MEDICAL LEAVE ACT OF 1993.**

21 **(2) AN EMPLOYEE WHO USES PARENTAL LEAVE FOR ADOPTION**
22 **PURPOSES MAY NOT RECEIVE PAYMENT UNDER THIS SUBTITLE UNLESS THE**
23 **EMPLOYEE GIVES THE EMPLOYEE'S IMMEDIATE SUPERVISOR THE CERTIFICATE**
24 **REQUIRED BY GUIDELINES ISSUED BY THE SECRETARY ON THE FEDERAL FAMILY**
25 **AND MEDICAL LEAVE ACT OF 1993.**

26 **(F) THE SECRETARY SHALL ADOPT REGULATIONS GOVERNING PARENTAL**
27 **LEAVE, INCLUDING REGULATIONS THAT ESTABLISH CONDITIONS AND PROCEDURES**
28 **FOR REQUESTING AND APPROVING PARENTAL LEAVE.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2018.