

SENATE BILL 487

P4

9lr1168

By: **Senators Jennings, Bailey, and Salling**

Introduced and read first time: February 4, 2019

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – Military Administrative Leave**

3 FOR the purpose of authorizing military administrative leave to be provided to an employee
4 who is serving orders for military duty on or after a certain date; authorizing an
5 employee serving orders for military duty on or after a certain date to elect to use
6 either military administrative leave or paid leave; and generally relating to military
7 administrative leave.

8 BY repealing and reenacting, with amendments,

9 Article – State Personnel and Pensions

10 Section 9–1107

11 Annotated Code of Maryland

12 (2015 Replacement Volume and 2018 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – State Personnel and Pensions**

16 9–1107.

17 (a) This section applies to all employees, except temporary employees, of all units
18 in the Executive, Judicial, and Legislative branches of State government, including any
19 unit with an independent personnel system.

20 (b) Military administrative leave may be provided to an employee subject to this
21 section who:

22 (1) is on active military duty on July 1, 2003; [or]

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) is activated for military duty on or after July 1, 2003; **OR**

2 **(3) IS SERVING ORDERS FOR MILITARY DUTY ON OR AFTER OCTOBER**
3 **1, 2019.**

4 (c) (1) An employee who is eligible to receive military administrative leave
5 under this section is entitled to leave in an amount sufficient to compensate the employee,
6 during each pay period for which the employee is eligible to receive military administrative
7 leave under this section, for the difference between the employee's active duty base salary
8 paid by the federal government and the employee's State base salary or direct wages.

9 (2) Compensation provided under this subsection may not exceed an
10 employee's State base salary or direct wages.

11 (d) An employee eligible to receive military administrative leave under this
12 section who is activated for military duty on or after July 1, 2003, **OR SERVING ORDERS**
13 **FOR MILITARY DUTY ON OR AFTER OCTOBER 1, 2019**, shall elect to use either military
14 administrative leave or paid leave as provided in § 9-1104(3) of this subtitle.

15 (e) The Department shall keep a record of the use of military administrative leave
16 under this section.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2019.