

Chapter 7

(House Bill 580)

AN ACT concerning

Time to Serve Act of 2024

FOR the purpose of increasing the maximum number of days of disaster service leave for employees in the Executive Branch of State government; increasing the maximum number of days of paid leave the Secretary of Budget and Management may provide for uniformed services training or active uniformed services duty in a reserve unit of the armed forces or organized militia; and generally relating to disaster service leave and paid leave for State employees.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 9–1102 and 9–1104

Annotated Code of Maryland

(2015 Replacement Volume and 2023 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

9–1102.

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

(b) On request, an employee subject to this section may be entitled to disaster service leave with pay if:

(1) (i) the employee is certified by the American Red Cross as a disaster service volunteer; and

(ii) the American Red Cross requests the services of the employee during a disaster that is designated at Level II or above in the regulations and procedures of the National Office of the American Red Cross; or

(2) the employee is a member of:

(i) the Civil Air Patrol;

(ii) the United States Coast Guard Auxiliary;

- (iii) Maryland Voluntary Organizations Active in Disaster;
- (iv) a volunteer emergency medical services department;
- (v) a volunteer fire department;
- (vi) a volunteer rescue company or volunteer rescue squad; or
- (vii) a Community Emergency Response Team.

(c) **(1) [An] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN** employee may use up to 15 days of disaster service leave in any 12-month period only after obtaining approval from the employee's appointing authority.

(2) AN EMPLOYEE IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT MAY USE UP TO 30 DAYS OF DISASTER SERVICE LEAVE IN ANY 12-MONTH PERIOD ONLY AFTER OBTAINING APPROVAL FROM THE EMPLOYEE'S APPOINTING AUTHORITY.

(d) During a prolonged or recurrent disaster, the employee's appointing authority may:

(1) waive the requirements under subsections (b) and (c) of this section that an employee must request and obtain approval before the employee may use disaster service leave, if waiving the requirement would be in the best interest of the citizens of the State; and

(2) increase the number of days of disaster service leave under subsection (c) of this section that an employee may use, if an increase would be in the best interest of the citizens of the State.

(e) For purposes of workers' compensation and the Maryland Tort Claims Act, while an employee is using disaster service leave, the employee is deemed not to be a State employee.

9-1104.

(a) In this section, "uniformed services" has the meaning stated in 38 U.S.C. § 4303 and 20 C.F.R. § 1002.5(o).

(b) The Secretary may provide by regulation for leave with pay:

- (1) for jury service;

- (2) to attend employee organization events approved for this purpose by the Secretary;
- (3) up to ~~[15]~~ **30** days for uniformed services training or active uniformed services duty in a reserve unit of the armed forces or in the organized militia;
- (4) unless the employee is a party to the action or a paid witness, to appear in compliance with a subpoena:
 - (i) in court;
 - (ii) before a grand jury;
 - (iii) before an administrative unit; or
 - (iv) for a deposition;
- (5) for administrative leave for the purpose of immediately removing an employee from the work site, if the employee:
 - (i) poses a threat to self, another individual, or State property; or
 - (ii) is incapable of properly performing the employee's duties because of extraordinary circumstances; and
- (6) any other paid leave the Secretary deems necessary.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

Approved by the Governor, April 9, 2024.