

# HOUSE BILL 52

P4

(PRE-FILED)

4r0794  
CF SB 109

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By: **Delegate Stewart**

Requested: October 2, 2023

Introduced and read first time: January 10, 2024

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 13, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Employees – Parental Bereavement Leave**

3 FOR the purpose of providing that certain State employees are entitled to a certain amount  
4 of parental bereavement leave with pay under certain circumstances; prohibiting  
5 certain State entities from requiring certain State employees to use certain paid  
6 leave under certain circumstances; and generally relating to parental bereavement  
7 leave for State employees.

8 BY repealing and reenacting, without amendments,  
9 Article – State Personnel and Pensions  
10 Section 9–1101  
11 Annotated Code of Maryland  
12 (2015 Replacement Volume and 2023 Supplement)

13 BY adding to  
14 Article – State Personnel and Pensions  
15 Section 9–1109  
16 Annotated Code of Maryland  
17 (2015 Replacement Volume and 2023 Supplement)

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

20 **Article – State Personnel and Pensions**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 9-1101.

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

4 **9-1109.**

5 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
6 INDICATED.

7 (2) "CHILD" MEANS AN ADOPTED, BIOLOGICAL, OR FOSTER CHILD, A  
8 STEPCHILD, OR A LEGAL WARD, WHO IS AT LEAST 6 MONTHS OLD AND UNDER THE  
9 AGE OF ~~21~~ 27 YEARS.

10 (3) "INFANT" MEANS AN ADOPTED, BIOLOGICAL, OR FOSTER CHILD, A  
11 STEPCHILD, OR A LEGAL WARD, WHO IS UNDER THE AGE OF 6 MONTHS.

12 ~~(3)~~ (4) "PARENTAL BEREAVEMENT LEAVE" MEANS LEAVE AN  
13 EMPLOYEE IS ALLOWED TO USE:

14 (I) ON THE DEATH OF THE EMPLOYEE'S CHILD; OR

15 (II) WHEN THE EMPLOYEE EXPERIENCES A STILLBIRTH.

16 ~~(4)~~ (5) "STILLBIRTH" MEANS THE DEATH OF A FETUS AFTER A  
17 GESTATION PERIOD OF 20 WEEKS OR MORE FOR AN EMPLOYEE:

18 (I) WHO WAS PREGNANT WITH THE FETUS;

19 (II) WHO IS THE SPOUSE OR DOMESTIC PARTNER OF AN  
20 INDIVIDUAL WHO WAS PREGNANT WITH THE FETUS; OR

21 (III) WHO INTENDED TO ASSUME PARENTAL RESPONSIBILITIES  
22 FOR THE FETUS IF THE FETUS HAD BEEN BORN ALIVE.

23 (B) THIS SECTION APPLIES TO:

24 (1) ALL EMPLOYEES, INCLUDING TEMPORARY EMPLOYEES, IN THE  
25 EXECUTIVE, JUDICIAL, AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT,  
26 INCLUDING ANY UNIT WITH AN INDEPENDENT PERSONNEL SYSTEM; AND

27 (2) ALL EMPLOYEES OF A PUBLIC INSTITUTION OF HIGHER  
28 EDUCATION, AS DEFINED IN § 2-308 OF THIS ARTICLE.

1 (C) AN EMPLOYEE SUBJECT TO THIS SECTION IS ENTITLED TO PARENTAL  
2 BEREAVEMENT LEAVE WITH PAY.

3 (D) (1) SUBJECT TO PARAGRAPH ~~(2)~~ (3) OF THIS SUBSECTION, AN  
4 EMPLOYEE MAY USE UP TO 10 DAYS OF PARENTAL BEREAVEMENT LEAVE WITHIN 60  
5 DAYS AFTER:

6 ~~(I)~~ THE DEATH OF THE EMPLOYEE’S CHILD; ~~OR~~

7 ~~(II)~~ ~~THE EMPLOYEE EXPERIENCES A STILLBIRTH.~~

8 (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, AN EMPLOYEE  
9 MAY USE UP TO 60 DAYS OF PARENTAL BEREAVEMENT LEAVE WITHIN 60 DAYS  
10 AFTER:

11 (I) THE EMPLOYEE EXPERIENCES A STILLBIRTH; OR

12 (II) THE DEATH OF THE EMPLOYEE’S INFANT.

13 ~~(2)~~ (3) AN EMPLOYEE MAY USE PARENTAL BEREAVEMENT LEAVE  
14 ONLY AFTER NOTIFYING THE EMPLOYEE’S APPOINTING AUTHORITY OF THE  
15 EMPLOYEE’S INTENTION TO USE PARENTAL BEREAVEMENT LEAVE.

16 ~~(3)~~ (4) AN EMPLOYEE’S APPOINTING AUTHORITY MAY NOT  
17 REQUIRE AN EMPLOYEE ENTITLED TO PARENTAL BEREAVEMENT LEAVE UNDER  
18 ~~PARAGRAPH~~ PARAGRAPHS (1) AND (2) OF THIS SUBSECTION TO USE ANY OTHER  
19 PAID LEAVE AVAILABLE TO THE EMPLOYEE.

20 (E) THE SECRETARY SHALL ADOPT REGULATIONS GOVERNING PARENTAL  
21 BEREAVEMENT LEAVE.

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.