

SENATE BILL 109

P4

(4lr0901)

ENROLLED BILL
— *Finance/Appropriations* —

Introduced by **Senator Gile**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

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

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.

Italics indicate opposite chamber/conference committee amendments.



1 Article – State Personnel and Pensions
 2 Section 9–1109
 3 Annotated Code of Maryland
 4 (2015 Replacement Volume and 2023 Supplement)

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

7 **Article – State Personnel and Pensions**

8 9–1101.

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

11 **9–1109.**

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 13 INDICATED.

14 (2) “CHILD” MEANS AN ADOPTED, BIOLOGICAL, OR FOSTER CHILD, A
 15 STEPCHILD, OR A LEGAL WARD, WHO IS AT LEAST 6 MONTHS OLD AND UNDER THE
 16 AGE OF ~~21~~ 27 YEARS.

17 (3) “INFANT” MEANS AN ADOPTED, BIOLOGICAL, OR FOSTER CHILD, A
 18 STEPCHILD, OR A LEGAL WARD, WHO IS UNDER THE AGE OF 6 MONTHS.

19 ~~(3) (4) “PARENTAL BEREAVEMENT LEAVE” MEANS LEAVE AN~~
 20 ~~EMPLOYEE IS ALLOWED TO USE:~~

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

22 ~~(II) WHEN THE EMPLOYEE EXPERIENCES A STILLBIRTH.~~

23 ~~(4) (5) “STILLBIRTH” MEANS THE DEATH OF A FETUS AFTER A~~
 24 ~~GESTATION PERIOD OF 20 WEEKS OR MORE FOR AN EMPLOYEE:~~

25 ~~(I) WHO WAS PREGNANT WITH THE FETUS;~~

26 ~~(II) WHO IS THE SPOUSE OR DOMESTIC PARTNER OF AN~~
 27 ~~INDIVIDUAL WHO WAS PREGNANT WITH THE FETUS; OR~~

28 ~~(III) WHO INTENDED TO ASSUME PARENTAL RESPONSIBILITIES~~
 29 ~~FOR THE FETUS IF THE FETUS HAD BEEN BORN ALIVE.~~

1 (B) THIS SECTION APPLIES TO ALL EMPLOYEES, INCLUDING TEMPORARY
2 EMPLOYEES, IN THE EXECUTIVE, JUDICIAL, AND LEGISLATIVE BRANCHES OF
3 STATE GOVERNMENT, INCLUDING ANY UNIT WITH AN INDEPENDENT PERSONNEL
4 SYSTEM.

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

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

10 ~~(I)~~ THE DEATH OF THE EMPLOYEE'S CHILD; ~~OR~~

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

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

15 (I) THE EMPLOYEE EXPERIENCES A STILLBIRTH; OR

16 (II) THE DEATH OF THE EMPLOYEE'S INFANT.

17 ~~(2)~~ (3) AN EMPLOYEE MAY USE PARENTAL BEREAVEMENT LEAVE
18 ONLY AFTER NOTIFYING THE EMPLOYEE'S APPOINTING AUTHORITY OF THE
19 EMPLOYEE'S INTENTION TO USE PARENTAL BEREAVEMENT LEAVE.

20 ~~(3)~~ (4) AN EMPLOYEE'S APPOINTING AUTHORITY MAY NOT
21 REQUIRE AN EMPLOYEE ENTITLED TO PARENTAL BEREAVEMENT LEAVE UNDER
22 ~~PARAGRAPH~~ PARAGRAPHS (1) AND (2) OF THIS SUBSECTION TO USE ANY OTHER
23 PAID LEAVE AVAILABLE TO THE EMPLOYEE.

24 (E) THE SECRETARY SHALL ADOPT REGULATIONS GOVERNING PARENTAL
25 BEREAVEMENT LEAVE.

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