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By: **Delegates Nathan-Pulliam, Frush, Kagan, Opara, DeCarlo, Benson,  
Jones, Holt, and McIntosh**

Introduced and read first time: February 6, 1998

Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel - Disaster Service Leave**

3 FOR the purpose of altering the circumstances under which a State employee may be  
4 entitled to disaster service leave with pay by repealing the requirement that the  
5 disaster during which services are performed must occur in this State or a state  
6 that is contiguous to this State; and generally relating to disaster service leave  
7 for State employees.

8 BY repealing and reenacting, with amendments,  
9 Article - State Personnel and Pensions  
10 Section 9-1102  
11 Annotated Code of Maryland  
12 (1997 Replacement Volume)

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

15 **Article - State Personnel and Pensions**

16 9-1102.

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

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

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

24 (2) the American Red Cross requests the services of the employee during  
25 a disaster that[:

26 (i) occurs in the State or a state that is contiguous to the State; and

1 (ii)] is designated at Level II or above in the regulations and  
2 procedures of the National Office of the American Red Cross.

3 (c) An employee may use up to 15 days of disaster service leave in any  
4 12-month period only after obtaining approval from the employee's appointing  
5 authority.

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

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 1998.