

**Department of Legislative Services**  
Maryland General Assembly

**FISCAL NOTE**

House Bill 1044 (Delegate McIntosh. *et al.*)

Appropriations

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**State Personnel - Family and Medical Leave**

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This bill alters State personnel law to allow, rather than require, eligible State employees to use other available accrued leave concurrently with family and medical leave under the federal Family and Medical Leave Act of 1993 (FMLA). Under current law, employees are required to use other available accrued leave concurrently with FMLA leave.

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**Fiscal Summary**

**State Effect:** None. The bill should not result in any change in State leave or fringe benefit payments.

**Local Effect:** None.

**Small Business Effect:** None.

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**Fiscal Analysis**

**State Expenditures:** The bill allows employees on FMLA leave to use unpaid leave even if they have accrued paid leave. The bill should not have a net effect on personnel expenditures. Accrued paid leave is generally subject to payment regardless of whether used during FMLA leave or otherwise. (It is assumed that no employee would use unpaid leave for FMLA leave when the employee had paid leave subject to impending forfeiture.) Additional personnel costs for temporary employees to substitute for permanent employees on FMLA leave would also be incurred regardless of whether the FMLA employee was using paid or unpaid leave. Federal law requires payment of benefits such as health insurance during FMLA leave, so these expenses are also incurred regardless of whether the FMLA leave is paid or unpaid.

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**Information Source(s):** Department of Budget and Management (Office of Human

Resources), Department of Legislative Services

**Fiscal Note History:** First Reader - March 6, 1998

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