

SENATE BILL 177

P4

8lr0209

By: **Chair, Finance Committee (By Request – Departmental – Budget and Management)**

Introduced and read first time: January 18, 2008

Rules suspended

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: February 13, 2008

CHAPTER _____

1 AN ACT concerning

2 **State Personnel – Accrual and Carryover of Annual Leave**

3 FOR the purpose of altering the maximum number of days and hours of annual leave
4 that State employees may accumulate and carry over from 1 calendar year to
5 the next calendar year; and generally relating to the accrual of annual leave by
6 State employees.

7 BY repealing and reenacting, with amendments,
8 Article – State Personnel and Pensions
9 Section 9–304 and 9–305
10 Annotated Code of Maryland
11 (2004 Replacement Volume and 2007 Supplement)

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

14 **Article – State Personnel and Pensions**

15 9–304.

16 (a) (1) An employee may accumulate unused annual leave and may carry
17 over from 1 year to the next year up to [50] **75** days or [400] **600** hours of that unused
18 annual leave.

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 (2) Any accumulated and unused annual leave in excess of [50] **75**
2 days or [400] **600** hours shall be forfeited at the beginning of the first full pay period
3 of the next calendar year.

4 (b) (1) If an employee is denied the opportunity in 1 calendar year to use
5 annual leave days in excess of the [50] **75** days or [400] **600** hours allowed to be
6 carried over to the next year, the head of the employee's principal unit may allow the
7 employee compensation, at the employee's regular rate of pay, for those excess leave
8 days.

9 (2) The head of a principal unit may approve a request for
10 compensation under this subsection only if:

11 (i) the appointing authority documents the unusual
12 administrative reasons for having denied the employee the use of annual leave; and

13 (ii) funds are available for that purpose.

14 9-305.

15 (a) Except for employees covered by a collective bargaining agreement and
16 except as provided in § 9-306 of this subtitle, an employee is entitled, on termination
17 of State employment, to compensation for unused annual leave.

18 (b) The amount of compensation to be paid under this section shall equal
19 one-tenth of the employee's established biweekly compensation at the time of
20 termination of State employment, multiplied by:

21 (1) the number of days of annual leave, not exceeding 50 days or 400
22 hours **OF THE TOTAL** that were accrued at the end of the previous calendar year and
23 that remain unused; and

24 (2) the number of days of annual leave that accrued during the
25 calendar year in which the employee's State employment terminates and that remain
26 unused.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2008.