

CHAPTER 20

(Senate Bill 177)

AN ACT concerning

State Personnel – Accrual and Carryover of Annual Leave

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

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

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

Article – State Personnel and Pensions

9–304.

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

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

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

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

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

- (ii) funds are available for that purpose.

9-305.

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

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

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

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

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

Approved by the Governor, April 8, 2008.