

# HOUSE BILL 775

P4  
HB 776/15 – APP

8lr2765  
CF SB 859

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By: ~~Delegate Kelly~~ Delegates Kelly, Hettleman, Gutierrez, Valentino-Smith, Krimm, P. Young, Lam, Lierman, McIntosh, Gaines, Jones, Haynes, Reznik, A. Miller, Sophocleus, Korman, Jackson, and Chang

Introduced and read first time: February 1, 2018  
Assigned to: Appropriations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 13, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Employees – Parental Leave**

3 FOR the purpose of providing that certain State employees may be entitled to parental  
4 leave with pay under certain circumstances; establishing the maximum number of  
5 days of parental leave that certain employees may use for the care and nurturing of  
6 a child within a certain amount of time following the birth or adoption of the child;  
7 providing that an employee may use parental leave only after obtaining approval  
8 from the employee's appointing authority; prohibiting an employee who uses  
9 parental leave from receiving certain payment unless the employee takes a certain  
10 action; requiring the Secretary of Budget and Management to adopt certain  
11 regulations; and generally relating to parental leave for State employees.

12 BY repealing and reenacting, without amendments,  
13 Article – State Personnel and Pensions  
14 Section 9–1101  
15 Annotated Code of Maryland  
16 (2015 Replacement Volume and 2017 Supplement)

17 BY adding to  
18 Article – State Personnel and Pensions  
19 Section 9–1108  
20 Annotated Code of Maryland  
21 (2015 Replacement Volume and 2017 Supplement)

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

3 **Article – State Personnel and Pensions**

4 9–1101.

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

7 **9–1108.**

8 **(A) THIS SECTION APPLIES TO ALL EMPLOYEES IN THE LEGISLATIVE AND**  
9 **EXECUTIVE BRANCHES OF STATE GOVERNMENT.**

10 **(B) ON REQUEST, AN EMPLOYEE SUBJECT TO THIS SECTION MAY BE**  
11 **ENTITLED TO PARENTAL LEAVE WITH PAY.**

12 **(C) AN EMPLOYEE WHO IS RESPONSIBLE FOR THE CARE AND NURTURING**  
13 **OF A CHILD MAY USE UP TO 60 DAYS OF PARENTAL LEAVE TO CARE FOR THE CHILD**  
14 **DURING THE PERIOD WITHIN 1 YEAR FOLLOWING:**

15 **(1) THE BIRTH OF THE EMPLOYEE’S CHILD; OR**

16 **(2) THE PLACEMENT OF THE CHILD WITH THE EMPLOYEE FOR**  
17 **ADOPTION.**

18 **(D) AN EMPLOYEE MAY USE PARENTAL LEAVE ONLY AFTER OBTAINING**  
19 **APPROVAL FROM THE EMPLOYEE’S APPOINTING AUTHORITY.**

20 **(E) (1) AN EMPLOYEE WHO USES PARENTAL LEAVE FOLLOWING THE**  
21 **BIRTH OF THE EMPLOYEE’S CHILD MAY NOT RECEIVE PAYMENT UNDER THIS**  
22 **SECTION UNLESS THE EMPLOYEE GIVES THE EMPLOYEE’S IMMEDIATE SUPERVISOR**  
23 **INFORMATION REQUIRED BY GUIDELINES ISSUED BY THE SECRETARY ON THE**  
24 **FEDERAL FAMILY AND MEDICAL LEAVE ACT OF 1993.**

25 **(2) AN EMPLOYEE WHO USES PARENTAL LEAVE FOR ADOPTION**  
26 **PURPOSES MAY NOT RECEIVE PAYMENT UNDER THIS SUBTITLE UNLESS THE**  
27 **EMPLOYEE GIVES THE EMPLOYEE’S IMMEDIATE SUPERVISOR THE CERTIFICATE**  
28 **REQUIRED BY GUIDELINES ISSUED BY THE SECRETARY ON THE FEDERAL FAMILY**  
29 **AND MEDICAL LEAVE ACT OF 1993.**

1           **(F) THE SECRETARY SHALL ADOPT REGULATIONS GOVERNING PARENTAL**  
2 **LEAVE, INCLUDING REGULATIONS THAT ESTABLISH CONDITIONS AND PROCEDURES**  
3 **FOR REQUESTING AND APPROVING PARENTAL LEAVE.**

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2018.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.