

SENATE BILL 109

P4

(PRE-FILED)

4r0901
CF HB 52

By: **Senator Gile**

Requested: October 9, 2023

Introduced and read first time: January 10, 2024

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 8, 2024

CHAPTER _____

1 AN ACT concerning

2 **State Employees – Parental Bereavement Leave**

3 FOR the purpose of providing that certain State employees are entitled to a certain amount
4 of parental bereavement leave with pay under certain circumstances; prohibiting
5 certain State entities from requiring certain State employees to use certain paid
6 leave under certain circumstances; and generally relating to parental bereavement
7 leave for State employees.

8 BY repealing and reenacting, without amendments,
9 Article – State Personnel and Pensions
10 Section 9–1101
11 Annotated Code of Maryland
12 (2015 Replacement Volume and 2023 Supplement)

13 BY adding to
14 Article – State Personnel and Pensions
15 Section 9–1109
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2023 Supplement)

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

20 **Article – State Personnel and Pensions**

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 9-1101.

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

4 **9-1109.**

5 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.

7 (2) "CHILD" MEANS AN ADOPTED, BIOLOGICAL, OR FOSTER CHILD, A
8 STEPCHILD, OR A LEGAL WARD, WHO IS AT LEAST 6 MONTHS OLD AND UNDER THE
9 AGE OF ~~21~~ 27 YEARS.

10 (3) "INFANT" MEANS AN ADOPTED, BIOLOGICAL, OR FOSTER CHILD, A
11 STEPCHILD, OR A LEGAL WARD, WHO IS UNDER THE AGE OF 6 MONTHS.

12 ~~(3)~~ (4) "PARENTAL BEREAVEMENT LEAVE" MEANS LEAVE AN
13 EMPLOYEE IS ALLOWED TO USE:

14 (I) ON THE DEATH OF THE EMPLOYEE'S CHILD; OR

15 (II) WHEN THE EMPLOYEE EXPERIENCES A STILLBIRTH.

16 ~~(4)~~ (5) "STILLBIRTH" MEANS THE DEATH OF A FETUS AFTER A
17 GESTATION PERIOD OF 20 WEEKS OR MORE FOR AN EMPLOYEE:

18 (I) WHO WAS PREGNANT WITH THE FETUS;

19 (II) WHO IS THE SPOUSE OR DOMESTIC PARTNER OF AN
20 INDIVIDUAL WHO WAS PREGNANT WITH THE FETUS; OR

21 (III) WHO INTENDED TO ASSUME PARENTAL RESPONSIBILITIES
22 FOR THE FETUS IF THE FETUS HAD BEEN BORN ALIVE.

23 (B) THIS SECTION APPLIES TO ALL EMPLOYEES, INCLUDING TEMPORARY
24 EMPLOYEES, IN THE EXECUTIVE, JUDICIAL, AND LEGISLATIVE BRANCHES OF
25 STATE GOVERNMENT, INCLUDING ANY UNIT WITH AN INDEPENDENT PERSONNEL
26 SYSTEM.

27 (C) AN EMPLOYEE SUBJECT TO THIS SECTION IS ENTITLED TO PARENTAL
28 BEREAVEMENT LEAVE WITH PAY.

1 (D) (1) SUBJECT TO PARAGRAPH ~~(2)~~ (3) OF THIS SUBSECTION, AN
 2 EMPLOYEE MAY USE UP TO 10 DAYS OF PARENTAL BEREAVEMENT LEAVE WITHIN 60
 3 DAYS AFTER:

4 (I) THE DEATH OF THE EMPLOYEE’S CHILD; OR

5 (II) ~~THE EMPLOYEE EXPERIENCES A STILLBIRTH.~~

6 (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, AN EMPLOYEE
 7 MAY USE UP TO 60 DAYS OF PARENTAL BEREAVEMENT LEAVE WITHIN 60 DAYS
 8 AFTER:

9 (I) THE EMPLOYEE EXPERIENCES A STILLBIRTH; OR

10 (II) THE DEATH OF THE EMPLOYEE’S INFANT.

11 ~~(2)~~ (3) AN EMPLOYEE MAY USE PARENTAL BEREAVEMENT LEAVE
 12 ONLY AFTER NOTIFYING THE EMPLOYEE’S APPOINTING AUTHORITY OF THE
 13 EMPLOYEE’S INTENTION TO USE PARENTAL BEREAVEMENT LEAVE.

14 ~~(3)~~ (4) AN EMPLOYEE’S APPOINTING AUTHORITY MAY NOT
 15 REQUIRE AN EMPLOYEE ENTITLED TO PARENTAL BEREAVEMENT LEAVE UNDER
 16 ~~PARAGRAPH~~ PARAGRAPHS (1) AND (2) OF THIS SUBSECTION TO USE ANY OTHER
 17 PAID LEAVE AVAILABLE TO THE EMPLOYEE.

18 (E) THE SECRETARY SHALL ADOPT REGULATIONS GOVERNING PARENTAL
 19 BEREAVEMENT LEAVE.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 21 October 1, 2024.

Approved:

 Governor.

 President of the Senate.

 Speaker of the House of Delegates.