

Chapter 296

(Senate Bill 785)

AN ACT concerning

Labor and Employment – Unpaid Parental Leave – Definition of Employer

FOR the purpose of altering the definition of “employer” to exclude employers who are covered by the federal Family and Medical Leave Act for the current year from being required to provide to employees a certain unpaid parental leave benefit in the State; and generally relating to unpaid parental leave.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–1201(a) and (b)
Annotated Code of Maryland
(2016 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–1201(c)
Annotated Code of Maryland
(2016 Replacement Volume and 2024 Supplement)

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

Article – Labor and Employment

3–1201.

(a) In this subtitle the following words have the meanings indicated.

(b) (1) “Eligible employee” means an individual who has requested that an employer provide parental leave and who, as of the date that the requested parental leave begins, will have been employed by that employer for at least:

(i) a 12-month period; and

(ii) 1,250 hours during the previous 12 months.

(2) “Eligible employee” does not include an individual:

(i) who is employed at a work site at which the employer employs fewer than 15 employees if the total number of employees employed by that employer within 75 miles of the work site is also fewer than 15; or

(ii) who is an independent contractor.

(c) (1) “Employer” means a person who:

(I) employs at least 15 but not more than 49 individuals in the State for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year; AND

(II) IS NOT COVERED UNDER THE FEDERAL FAMILY AND MEDICAL LEAVE ACT FOR THE CURRENT CALENDAR YEAR.

(2) “Employer” includes:

(i) a person who acts, directly or indirectly, in the interest of an employer with respect to an employee of the employer; and

(ii) a successor in interest of an employer.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

Approved by the Governor, May 6, 2025.