

Chapter 274

(House Bill 1080)

AN ACT concerning

Local Government – Local Personnel – Leave With Pay

FOR the purpose of establishing that governmental units may provide disaster service leave with pay to certain employees; establishing that an employee of a governmental unit of a county or a municipality may be entitled to disaster service leave with pay under certain circumstances; authorizing certain governmental units to waive certain requirements for disaster service leave; authorizing a governmental unit of a county or a municipality to provide certain leave with pay under certain circumstances; and generally relating to disaster service leave and leave with pay for employees of counties and municipalities in the State.

BY adding to

Article – Local Government
Section 1–207 and 1–208
Annotated Code of Maryland
(2013 Volume and 2024 Supplement)

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

Article – Local Government

1–207.

(A) THIS SECTION APPLIES TO ALL EMPLOYEES OF A GOVERNMENTAL UNIT OF A COUNTY OR A MUNICIPALITY IN THE STATE.

(B) SUBJECT TO SUBSECTIONS (C) THROUGH (E) OF THIS SECTION, EACH GOVERNMENTAL UNIT MAY PROVIDE DISASTER SERVICE LEAVE WITH PAY TO EMPLOYEES SUBJECT TO THIS SECTION.

(C) ON REQUEST, AN EMPLOYEE SUBJECT TO THIS SECTION MAY BE ENTITLED TO DISASTER SERVICE LEAVE WITH PAY IF:

(1) (I) THE EMPLOYEE IS CERTIFIED BY THE AMERICAN RED CROSS AS A DISASTER SERVICE VOLUNTEER; AND

(II) THE AMERICAN RED CROSS REQUESTS THE SERVICES OF THE EMPLOYEE DURING A DISASTER THAT IS DESIGNATED AT LEVEL II OR ABOVE

IN THE REGULATIONS AND PROCEDURES OF THE NATIONAL OFFICE OF THE AMERICAN RED CROSS; OR

(2) THE EMPLOYEE IS A MEMBER OF:

(I) THE CIVIL AIR PATROL;

(II) THE UNITED STATES COAST GUARD AUXILIARY;

(III) MARYLAND VOLUNTARY ORGANIZATIONS ACTIVE IN DISASTER;

(IV) A VOLUNTEER EMERGENCY MEDICAL SERVICES DEPARTMENT;

(V) A VOLUNTEER FIRE DEPARTMENT;

(VI) A VOLUNTEER RESCUE COMPANY OR VOLUNTEER RESCUE SQUAD; OR

(VII) A COMMUNITY EMERGENCY RESPONSE TEAM.

~~(C)~~ (D) AN EMPLOYEE MAY USE UP TO ~~15~~ 30 DAYS OF DISASTER SERVICE LEAVE IN ANY 12-MONTH PERIOD ONLY AFTER OBTAINING APPROVAL FROM THE EMPLOYEE'S GOVERNMENTAL UNIT.

~~(D)~~ (E) DURING A PROLONGED OR RECURRENT DISASTER, THE EMPLOYEE'S GOVERNMENTAL UNIT MAY:

(1) WAIVE THE REQUIREMENTS UNDER SUBSECTIONS ~~(B)~~ (C) AND ~~(C)~~ (D) OF THIS SECTION THAT AN EMPLOYEE MUST REQUEST AND OBTAIN APPROVAL BEFORE THE EMPLOYEE MAY USE DISASTER SERVICE LEAVE, IF WAIVING THE REQUIREMENT WOULD BE IN THE BEST INTEREST OF THE CITIZENS OF THE COUNTY OR MUNICIPALITY; AND

(2) INCREASE THE NUMBER OF DAYS OF DISASTER SERVICE LEAVE UNDER SUBSECTION ~~(C)~~ (D) OF THIS SECTION THAT AN EMPLOYEE MAY USE, IF AN INCREASE IN LEAVE WOULD BE IN THE BEST INTEREST OF THE CITIZENS OF THE COUNTY OR MUNICIPALITY.

1-208.

(A) IN THIS SECTION, "UNIFORMED SERVICES" HAS THE MEANING STATED IN 38 U.S.C. § 4303 AND 20 C.F.R. § 1002.5(o).

(B) THIS SECTION APPLIES TO ALL EMPLOYEES OF A GOVERNMENTAL UNIT OF A COUNTY OR A MUNICIPALITY IN THE STATE.

(C) EACH GOVERNMENTAL UNIT MAY PROVIDE LEAVE WITH PAY:

(1) FOR JURY SERVICE;

(2) TO ATTEND EMPLOYEE ORGANIZATION EVENTS APPROVED FOR THIS PURPOSE BY THE HEAD OF THE GOVERNMENTAL UNIT;

(3) FOR UP TO 30 DAYS FOR UNIFORMED SERVICES TRAINING OR ACTIVE UNIFORMED SERVICES DUTY IN A RESERVE UNIT OF THE ARMED FORCES OR IN THE ORGANIZED MILITIA;

(4) UNLESS THE EMPLOYEE IS A PARTY TO THE ACTION OR A PAID WITNESS, TO APPEAR IN COMPLIANCE WITH A SUBPOENA:

(I) IN COURT;

(II) BEFORE A GRAND JURY;

(III) BEFORE AN ADMINISTRATIVE UNIT; OR

(IV) FOR A DEPOSITION;

(5) FOR ADMINISTRATIVE LEAVE FOR THE PURPOSE OF IMMEDIATELY REMOVING AN EMPLOYEE FROM THE WORK SITE, IF THE EMPLOYEE:

(I) POSES A THREAT TO SELF, ANOTHER INDIVIDUAL, OR COUNTY OR MUNICIPAL PROPERTY; OR

(II) IS INCAPABLE OF PROPERLY PERFORMING THE EMPLOYEE'S DUTIES BECAUSE OF EXTRAORDINARY CIRCUMSTANCES; AND

(6) FOR ANY OTHER PAID LEAVE THE HEAD OF A GOVERNMENTAL UNIT CONSIDERS NECESSARY.

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

Approved by the Governor, May 6, 2025.