

# HOUSE BILL 1241

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By: **Delegates Acevero, Martinez, Roberson, and Ruff**

Introduced and read first time: February 11, 2026

Assigned to: Government, Labor, and Elections

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## A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Bereavement Leave – Qualified Relationships**

3 FOR the purpose of altering categories of individuals whose deaths would allow an  
4 employee to use leave with pay for bereavement leave under a certain provision of  
5 law; and generally relating to bereavement leave.

6 BY repealing and reenacting, with amendments,  
7 Article – Labor and Employment  
8 Section 3–802  
9 Annotated Code of Maryland  
10 (2025 Replacement Volume)

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

13 **Article – Labor and Employment**

14 3–802.

15 (a) (1) In this section the following words have the meanings indicated.

16 (2) “Bereavement leave” means leave an employee is allowed to use on the  
17 death of [a member of the employee’s immediate family] **AN INDIVIDUAL WITH WHOM**  
18 **THE EMPLOYEE HAD A QUALIFIED RELATIONSHIP.**

19 (3) “Child” means:

20 (i) for the purposes of leave provided under subsection (d)(1)(i) of  
21 this section, an adopted, biological, or foster child, a stepchild, or a legal ward who is:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                                   1.     under the age of 18 years; or

2                                   2.     at least 18 years old and incapable of self-care due to a  
3 mental or physical disability; or

4                                   (ii)   for the purposes of bereavement leave under subsection (d)(1)(ii)  
5 of this section, an adopted, biological, or foster child, a stepchild, or a legal ward.

6                                   (4)   (i)     “Employer” means a person that is engaged in a business,  
7 industry, profession, trade, or other enterprise in the State.

8                                   (ii)   “Employer” includes a person who acts directly or indirectly in  
9 the interest of another employer with an employee.

10                                  (5)   [“Immediate family” means a child, spouse, or parent.

11                                  (6)] (i)   “Leave with pay” means paid time away from work that is earned  
12 and available to an employee:

13                                   1.     based on hours worked; or

14                                   2.     as an annual grant of a fixed number of hours or days of  
15 leave for performance of service.

16                                   (ii)   “Leave with pay” includes sick leave, vacation time, paid time off,  
17 and compensatory time.

18                                   (iii)  “Leave with pay” does not include:

19                                   1.     a benefit provided under an employee welfare benefit plan  
20 subject to the federal Employee Retirement Income Security Act of 1974;

21                                   2.     an insurance benefit, including benefits from an  
22 employer’s self-insured plan;

23                                   3.     workers’ compensation;

24                                   4.     unemployment compensation;

25                                   5.     a disability benefit; or

26                                   6.     a similar benefit.

27                                  [(7)] (6)   “Parent” means an adoptive, biological, or foster parent, a  
28 stepparent, a legal guardian, or a person standing in loco parentis.

29                                  (7)   **“QUALIFIED RELATIONSHIP” INCLUDES A RELATIONSHIP WITH:**

1 (I) AN IMMEDIATE FAMILY MEMBER;

2 (II) A GRANDPARENT;

3 (III) A SIBLING;

4 (IV) A DOMESTIC PARTNER;

5 (V) A STEP-RELATION;

6 (VI) AN ADOPTIVE RELATION;

7 (VII) A FOSTER RELATION; AND

8 (VIII) A DE FACTO RELATION.

9 (b) (1) This section applies to an employee who is primarily employed in the  
10 State.

11 (2) This section applies to an employer that:

12 (i) provides leave with pay under the terms of a collective  
13 bargaining agreement or an employment policy; and

14 (ii) employs 15 or more employees for each working day in each of 20  
15 or more calendar weeks in the current or preceding calendar year.

16 (c) The purpose of subsection (d)(1)(i) is to allow an employee of an employer to  
17 use leave with pay to care for an immediate family member who is ill under the same  
18 conditions and policy rules that would apply if the employee took leave for the employee's  
19 own illness.

20 (d) (1) An employee of an employer may use leave with pay for:

21 (i) the illness of the employee's immediate family; or

22 (ii) bereavement leave.

23 (2) An agreement between an employer and employee to waive the  
24 provisions of this section is void.

25 (e) (1) An employee of an employer:

26 (i) may only use leave with pay under this section that has been  
27 earned; and

1 (ii) who earns more than one type of leave with pay may elect the  
2 type and amount of leave with pay to be used under this section.

3 (2) Except as provided in paragraph (3) of this subsection, an employee of  
4 an employer who uses leave under this section shall comply with the terms of a collective  
5 bargaining agreement or employment policy.

6 (3) If the terms of a collective bargaining agreement with an employer or  
7 an employment policy of an employer provide a leave with pay benefit that is equal to or  
8 greater than the benefit provided under this section, the collective bargaining agreement  
9 or employment policy prevails.

10 (f) An employer may not discharge, demote, suspend, discipline, or otherwise  
11 discriminate against an employee or threaten to take any of these actions against an  
12 employee because the employee:

13 (1) has requested leave authorized under this section;

14 (2) has taken leave authorized under this section;

15 (3) has opposed a practice made unlawful by this section; or

16 (4) has made a charge, testified, assisted, or participated in an  
17 investigation, proceeding, or hearing under this section.

18 (g) This section does not:

19 (1) extend the maximum period of leave an employee has under the federal  
20 Family and Medical Leave Act of 1993; or

21 (2) limit the period of leave to which an employee is entitled under the  
22 federal Family and Medical Leave Act of 1993.

23 (h) (1) Whenever the Commissioner determines that this section has been  
24 violated, the Commissioner shall:

25 (i) try to resolve any issue involved in the violation informally by  
26 mediation; or

27 (ii) ask the Attorney General to bring an action on behalf of the  
28 applicant or employee.

29 (2) The Attorney General may bring an action under this subsection in the  
30 county where the violation allegedly occurred for injunctive relief, damages, or other relief.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2026.