

HOUSE BILL 1241

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6lr2184

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

Introduced and read first time: February 11, 2026

Assigned to: Government, Labor, and Elections

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2026

CHAPTER _____

1 AN ACT concerning

2 **Labor and Employment – Bereavement Leave and Leave for Family Illness –**
3 **~~Qualified~~ Qualifying Relationships and Type of Leave**

4 FOR the purpose of altering categories of individuals whose deaths would allow an
5 employee to use leave with pay for bereavement leave or whose illness would allow
6 an employee to use leave with pay under a certain provision of law; authorizing
7 employees to use leave without pay, in accordance with the employer’s unpaid leave
8 policy, for certain bereavement leave or leave for the illness of a family member; and
9 generally relating to bereavement leave and leave for family illness.

10 BY repealing and reenacting, with amendments,
11 Article – Labor and Employment
12 Section 3–802
13 Annotated Code of Maryland
14 (2025 Replacement Volume)

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

17 Article – Labor and Employment

18 3–802.

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

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 (2) "Bereavement leave" means leave an employee is allowed to use on the
2 death of ~~[a member of the employee's immediate family~~ **THE EMPLOYEE'S FAMILY**
3 **MEMBER] ~~AN INDIVIDUAL WITH WHOM THE EMPLOYEE HAD A QUALIFIED~~
4 **RELATIONSHIP.****

5 (3) "Child" means:

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

8 1. under the age of 18 years; or

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

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

13 (4) (i) "Employer" means a person that is engaged in a business,
14 industry, profession, trade, or other enterprise in the State.

15 (ii) "Employer" includes a person who acts directly or indirectly in
16 the interest of another employer with an employee.

17 (5) ["Immediate family" means a child, spouse, or parent.] **"FAMILY**
18 **MEMBER" MEANS:**

19 **(I) A CHILD;**

20 **(II) A PARENT;**

21 **(III) A SPOUSE OR DOMESTIC PARTNER;**

22 **(IV) A SPOUSE'S OR DOMESTIC PARTNER'S PARENT;**

23 **(V) A CHILD'S SPOUSE OR DOMESTIC PARTNER;**

24 **(VI) A SIBLING;**

25 **(VII) A SIBLING'S SPOUSE OR DOMESTIC PARTNER;**

26 **(VIII) A GRANDPARENT;**

27 **(IX) A GRANDPARENT'S SPOUSE OR DOMESTIC PARTNER;**

28 **(X) A GRANDCHILD;**

1 (XI) A GRANDCHILD’S SPOUSE OR DOMESTIC PARTNER; AND

2 (XII) AN INDIVIDUAL RELATED BY BLOOD OR AFFINITY WHOSE
 3 CLOSE ASSOCIATION WITH AN EMPLOYEE IS THE EQUIVALENT OF A FAMILY
 4 RELATIONSHIP.

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

7 1. based on hours worked; or

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

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

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

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

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

17 3. workers’ compensation;

18 4. unemployment compensation;

19 5. a disability benefit; or

20 6. a similar benefit.

21 †(7)† (6) “Parent” means an adoptive, biological, or foster parent, a
 22 stepparent, a legal guardian, or a person standing in loco parentis.

23 ~~(7) “QUALIFIED RELATIONSHIP” INCLUDES A RELATIONSHIP WITH:~~

24 ~~(I) AN IMMEDIATE FAMILY MEMBER;~~

25 ~~(II) A GRANDPARENT;~~

26 ~~(III) A SIBLING;~~

27 ~~(IV) A DOMESTIC PARTNER;~~

1 ~~(V) A STEP RELATION;~~

2 ~~(VI) AN ADOPTIVE RELATION;~~

3 ~~(VII) A FOSTER RELATION; AND~~

4 ~~(VIII) A DE FACTO RELATION.~~

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

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

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

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

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

16 (d) (1) An employee of an employer may use leave with pay, **OR LEAVE**
17 **WITHOUT PAY IN ACCORDANCE WITH THE EMPLOYER'S UNPAID LEAVE POLICY,** for:

18 (i) the illness of the employee's ~~immediate~~ family **MEMBER**; or

19 (ii) bereavement leave.

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

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

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

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

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

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

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

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

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

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

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

13 (g) This section does not:

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

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

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

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

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

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

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