

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1579 (Chair, Government, Labor, and Elections
Committee)(By Request - Departmental - Budget and
Management)
Government, Labor, and Elections

State Personnel - Family and Medical Leave - Limits and Use

This departmental bill alters a prohibition on limiting leave under the federal Family and Medical Leave Act (FMLA) for all State units of the Executive Branch by repealing the requirement that employees must be married to one another to care for a child for specified reasons. Additionally, an employee within the State Personnel Management System (SPMS) may use, without submitting a certificate of illness or disability, up to 30 days of accrued sick leave (as authorized under current law) or paid family and medical leave (PFML). Lastly, the bill modifies regulations on FMLA that the Secretary of Budget and Management must adopt. **The bill takes effect July 1, 2026; if the effective date of Chapter 606 of 2025 changes, the bill's effective date changes too.**

Fiscal Summary

State Effect: The bill does not expand total leave hours beyond existing statutory limits, but it may require some reconfiguration of personnel systems. As such, the bill's changes can be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: The Department of Budget and Management (DBM) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Bill Summary/Current Law:

Limits on Use of Leave for Birth, Adoption, Foster Placement, or Care of a Child

Under current law, in implementing FMLA, all State units of the Executive Branch may not limit to less than 24 weeks the aggregate number of weeks of family and medical leave that two employees *who are married to one another* may use during a 12-month period to care for a child for: the birth of the employees' child; the adoption or placement of a child with the employees for foster care; a serious health condition of the employees' minor child; or the care of the employees' adult child if the adult child is incapable of self-care. The Secretary of Budget and Management must adopt regulations reflecting that and the regulations may require an eligible employee to use other available *accrued* leave concurrently with FMLA leave.

The bill repeals the requirement that these employees be married. Additionally, FMLA regulations adopted by the Secretary of Budget and Management must reflect this, and the regulations no longer must specify that the leave used concurrently with FMLA leave be accrued.

Sick Leave Use After Birth or Adoption

Under current law, an employee within SPMS who is responsible for a child may use, without certification of illness or disability, up to 30 days of accrued sick leave following the birth or adoption of the child. If two employees within SPMS care for a child, each employee may use, without certification of illness or disability, up to 30 days of accrued sick leave following the birth or adoption of the child.

The bill authorizes an employee to use accrued sick leave *or PFML* without certification of illness or disability and specifies that if two employees together are responsible for caring for a child, each employee may use accrued sick leave *or PFML* to care for a child without certification of illness or disability. The bill may not be construed to limit the amount of PFML an employee is eligible to receive.

Background: In fall 2024, DBM engaged in collective bargaining regarding the Family and Medical Leave Insurance (FAMLI) Program with exclusive representatives of State employees. The parties reached agreement about the FAMLI Program such that PFML is available beginning July 1, 2026, without eligibility and contribution requirements, in exchange for eliminating the paid parental leave program (which provided 60 days of paid parental leave to an employee in the Executive Branch of State government under specified

circumstances). Legislation was needed to implement the agreed-upon terms, and Chapter 606 implemented that agreement.

Chapter 606, which takes effect July 1, 2026, (1) repeals the existing paid parental leave program for Executive Branch employees; (2) establishes new PFML benefits for Executive Branch employees that generally mirror the benefits available under the FAML I Program; and (3) requires the Secretary of Budget and Management or the governing body of a public institution of higher education to adopt regulations governing PFML benefits, which include conditions and procedures for requesting and approving PFML to the extent that the regulations do not conflict with statute.

Family and Medical Leave Insurance Program

Chapter 48 of 2022 established the FAML I Program, to be administered by the Maryland Department of Labor. Chapters 258 and 259 of 2023, Chapters 266 and 267 of 2024, and Chapter 363 of 2025 made several modifications to the program, including delaying the program's start date. Employer, employee, and self-employed individual contributions to the program begin January 1, 2027, and claims for benefits begin sometime between January 1, 2027, and January 3, 2028, as determined and announced by the Secretary of Labor.

The program generally provides up to 12 weeks of benefits to a covered individual who is taking leave from employment due to caring for or bonding with certain family members, the individual's own serious health condition, or a qualifying exigency arising out of a family member's military deployment. The weekly benefit is based on an individual's average weekly wage and is indexed to inflation.

Federal Family and Medical Leave Act

A private-sector employer is covered by the FMLA if it employs 50 or more employees in 20 or more workweeks in the current or previous calendar year. An employee is considered to be employed each working day of the calendar week if the employee works any part of the week. FMLA generally requires covered employers to provide eligible employees with up to 12 work weeks of unpaid leave during any 12-month period for qualifying family and medical reasons (including for the birth, adoption, or foster placement of a child) and requires continuation of their group health benefits under the same conditions as if they had not taken leave. FMLA leave may be unpaid or used at the same time as employer-provided paid leave. Employees must be restored to the same or virtually identical position when they return to work after FMLA leave.

Eligible employees are individuals employed by a covered employer who have been employed for at least 12 months, have at least 1,250 hours of service with the employer

during the 12 months before their FMLA leave starts, and work at a location where the employer has at least 50 employees within 75 miles.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): University System of Maryland; Department of Budget and Management; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - February 26, 2026
caw/mcr

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: State Personnel - Family and Medical Leave - Limits and Use

BILL NUMBER: HB 1579

PREPARED BY: Dana Phillips

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

 X WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND
SMALL BUSINESS

OR

 WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND
SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS