# **National Conference of State Legislatures**

# 2010 Legislation on Family Leave Year End Search 2010

# **ARIZONA**

AZ H 2319 Pratt (R)

Title: Family Leave Insurance

Introduced: 01/14/2010 Status: Failed - Adjourned

Summary: Relates to family leave insurance.

#### **CALIFORNIA**

CA A 849 Swanson (D)

Title: Family and Medical Leave

Introduced: 02/26/2009 Status: Failed

Summary: Relates to protected leave pursuant to the Family Rights Act. Eliminates age and dependency elements from the definition of child. Expands the definition of parent to include a parent-in-law. Permits leave for a seriously ill grandparent or close relative.

CA A 1000 Ma (D)

Title: Employment: Paid Sick Days

Introduced: 02/27/2009 Status: Failed

Summary: state for a specified period during a calendar is entitled to paid sick days which shall be accrued according to a specified formula. Requires employers to provide sick leave for health conditions of the employee or the employee's family member, or leave related to domestic violence or sexual assault. Prohibits related employer discrimination or retaliation. Exempts employees covered under collective bargaining agreements.

# **CONNECTICUT**

CT S 300 Joint Committee on Labor and Public Employees

Title: Family and Medical Leave Benefits

Introduced: 02/23/2010

Status: Failed - Adjourned

Summary: Concerns family and medical leave benefits for certain municipal employees; grants certain ineligible municipal paraprofessionals the right to family and medical leave.

# DISTRICT OF COLUMBIA

DC B 455 Brown M (I)

Title: Unemployment Compensation Reform

Introduced: 09/22/2009

Status: Enacted 07/23/2010. 07/23/2010 Assigned Law Number 192.

Summary: Amends the District of Columbia Unemployment Compensation Act to extend the length of time to file an appeal of an initial determination with respect to benefit eligibility, expand eligibility for those who had to leave jobs for compelling family reasons, improve the administration of the unemployment compensation program, and qualify the District for federal modernization funding pursuant to the American Recovery and Reinvestment Act of 2009.

# **DELAWARE**

DE H 157 Longhurst (D)

Title: Family and Medical Leave Act

Introduced: 05/12/2009

Status: Failed - Withdrawn

Summary: Makes clear that a full-time or part-time teacher of a school district or a charter school who has satisfied all requirements to entitle the teacher to take leave under The Family and Medical Leave Act shall be returned to the same exact teaching position that the teacher held before taking such leave.

DE H 275 Longhurst (D)

Title: Colonial School District

Introduced: 06/24/2009

Status: Enacted. 07/21/2009 Signed by Governor. Chapter Number 170.

Summary: Provides that any full-time or part-time teacher in the Colonial School District who has satisfied all requirements to entitle the teacher to take leave under The Family and Medical Leave Act shall be returned to the same exact teaching position that the teacher held before taking such leave; provides that the Act shall have no effect on and in no way alters the current levels of tenure and/or seniority among teachers in the Colonial School

# **HAWAII**

HI H 319 Lee M (D)

Title: Family Leave and Notification Of Benefits

Introduced: 01/23/2009

Status: Enacted. 05/06/2009 Signed by Governor. Act No. 48.

Summary: Requires employers to notify employees annually of their entitlement to family leave, as well as possible adverse impact of taking family leave.

HI H 450 McKelvey (D)

Title: Family Leave and Military Deployment

Introduced: 01/23/2009

Status: Failed - Adjourned

Summary: Grants family leave to an employee during any calendar year to provide family care and support during the military deployment of the employee's child, spouse or reciprocal beneficiary, or parent; requires an employee to provide proof of military deployment; defines military deployment; effective 7/1/2015.

HI H 720 Evans (D)

Title: Family Leave and Military Deployment

Introduced: 01/23/2009

Status: Failed - Adjourned

Summary: Allows an employee to use family leave during any calendar year to provide family care and support during the military deployment of the employee's child, spouse or reciprocal beneficiary, or parent; requires an employee to provide proof of military deployment; defines military deployment.

HI H 982 Lee M (D)
Title: Family Leave
Introduced: 01/26/2009

Status: Enacted. 07/10/2009 Vetoed by Governor. 07/15/2009 Governor's veto overridden by Senate and

House. 07/15/2009 Special Session of 2009 Act No. 7.

Summary: Establishes a new data collection system for family leave; extends applicability of the family leave law to employers with 50 or more employees and to certain emergency and casual hires of the State and counties; appropriates funds from the disability benefits special fund; includes public and private sector employees; provides for confidentiality of information.

HI H 2258 Rhoads (D)

Title: Family Leave Insurance

Introduced: 01/21/2010 Status: Failed - Adjourned

Summary: Creates a family leave insurance fund to be administered by DLIR under the workers'

compensation statute; amends the definition of injuries covered under the workers' compensation statute to include

family leave.

HI S 614 Espero (D)

Title: Family Leave and Military Deployment

Introduced: 01/23/2009

Status: Failed - Adjourned

Summary: Grants family leave to an employee during any calendar year to provide family care and support during the military deployment of the employee's child, spouse or reciprocal beneficiary, or parent; requires an employee to provide proof of military deployment; defines military deployment; effective 7/1/2015.

HI S 816 Chun Oakland (D)

Title: Family Leave and Paid Parental Leave

Introduced: 01/23/2009 Status: Failed - Adjourned

Summary: Provides public employees two weeks of paid administrative parental leave and any vacation or sick leave accrued or accumulated for parental leave, which may be used for any part of the four-week period of family leave provided under the law.

HI S 822 Ihara (D)
Title: Family Leave
Introduced: 01/23/2009

Status: Failed - Adjourned

Summary: Establishes a new data collection system for family leave; extends applicability of the family leave law to employers with 50 or more employees and to certain emergency and casual hires of the State and counties; makes appropriation.

HI S 823 Ihara (D)

Title: Family Leave and Notification Of Benefits

Introduced: 01/23/2009 Status: Failed - Adjourned

Summary: Requires employers to notify employees annually of their entitlement to family leave, as well as possible adverse impact of taking family leave.

HI S 2392 Takamine (D)

Title: Family Leave Insurance

Introduced: 01/21/2010 Status: Failed - Adjourned

Summary: Creates a family leave insurance fund to be administered by DLIR under the workers'

compensation statute; amends the definition of injuries covered under the workers' compensation statute to include family leave.

## **ILLINOIS**

IL H 4241 Mautino (D)

Title: State Employees Group Insurance Act of 1971

Introduced: 02/27/2009

Status: Enacted. 08/25/2009 Signed by Governor. Public Act No. 756.

Summary: Amends the State Employees Group Insurance Act of 1971. Changes the maximum age of a dependent who is an unmarried child from 23 years old to 24 years old. Adds an unmarried child age 19 to 24 on a medical leave of absence to the definition of a dependent.

IL S 1123 Cullerton (D)

Title: Family Military Leave Act

Introduced: 02/06/2009 Status: Pending

Summary: Amends the Family Military Leave Act. Makes a technical change in a Section concerning the

short title.

IL S 1350 Forby (D)

Title: Unemployment Insurance Trust Fund Financing Act

Introduced: 02/10/2009

Status: Enacted. 06/30/2009 Signed by Governor. Public Act No. 30

Summary: Regards the Unemployment Insurance Act. Relates to dependent allowances. Changes criteria for determining whether there is a State on indicator or a State off indicator. Provides additional extended benefits in certain cases. Relates to persons whose assistance is necessary for the purpose of caring for a family member or who leave work because of domestic violence.

IL S 3239 Sandoval (D)

Title: Family And Medical Leave Act

Introduced: 02/09/2010 Status: Pending

Summary: Creates the Illinois Family and Medical Leave Act; contains only a short title provision.

IL S 3818 Hutchinson (D)

Title: Family Military Leave Act

Introduced: 02/11/2010

Status: Enacted. 07/30/2010 Signed by Governor. Public Act No. 1417.

Summary: Amends the Family Military Leave Act. States that an employer that employs more than a specified number of employees shall provide up to a specified number of days of unpaid family military leave to an employee during the time federal or state deployment orders are in effect. Adds language providing for a reduction in the number of days of leave provided to an employee in certain circumstances.

## **IOWA**

IA D 1195 Bailey (D)

Title: Military Deployment Leave for Family Members

Prefiled: 11/24/2008 Status: Failed - Adjourned

Summary: Relates to military deployment leave for family members.

IA H 237 Bailey (D)

Title: Family Military Leave

Introduced: 02/10/2009 Status: Failed - Adjourned

Summary: Provides for family military leave from employment for certain relatives of individuals called to

active military service; provides a remedy.

IA SSB 1195 Senate Veterans Affairs Committee

Title: Family Military Leave

Introduced: 02/11/2009

Status: Failed - Adjourned

Summary: Provides for family military leave from employment for certain relatives of individuals called to

active military service and providing a remedy.

## **MAINE**

ME LR 1456 Giles (R)

Title: Family Leave Law Prefiled: 01/26/2009

Status: Failed - Adjourned

Summary: Clarifies a part of the Family Leave Law.

## **MARYLAND**

MD H 1272 Mizeur (D)

Title: Maryland Family and Medical Leave Act

Introduced: 02/18/2010 Status: Failed - Adjourned

Summary: Requires employers in the State that are subject to the federal Family and Medical Leave Act of 1993 to provide specified leave to a specified eligible employee with respect to the eligible employee's brother, sister, grandparent, grandchild, or domestic partner and the son or daughter of the eligible employee's domestic partner; provides that an eligible employee who takes

# **MASSACHUSETTS**

MA H 124 Cabral (D)

Title: Paid Family Leave

Introduced: 01/19/2009 Status: Pending

Summary: Establishes paid family leave.

MA H 1816 Koczera (D)

Title: Unpaid Family and Medical Leave

Introduced: 01/19/2009 Status: Pending

Summary: Provides unpaid family and medical leave.

MA H 5006 Stanley H (D)

Title: Study of House Bills on Health Care Financing

Introduced: 08/30/2010 Status: Pending

Summary: (Study Order) Authorizes the Joint Committee on Health Care Financing to make an investigation and study of certain House documents relating to paid family leave, nursing facility reporting, public welfare, residential care facilities for seniors and disabled persons, health coverage for children, insurance company rebates, long term care services, and various other matters.

MA HD 1039 Cabral (D)

Title: Establishing Paid Family Leave

Prefiled: 01/07/2009 Status: Pending

Summary: Establishes paid family leave.

MA HD 2867 Koczera (D)

Title: Unpaid Family and Medical Leave

Prefiled: 01/07/2009 Status: Pending

Summary: Provides unpaid family and medical leave.

MA S 71 Spilka (D)

Title: Paid Family and Medical Leave

Introduced: 01/19/2009 Status: Pending

Summary: Supports strong families by providing paid family and medical leave, increasing tax deductions and establishing a work-family council; provides that the council shall develop broadly shared understandings of critical work-family issues, and shall promote through privately funded research,

MA S 1982 Tolman (D)

Title: Railroad Company Medical Leave

Introduced: 01/19/2009 Status: Pending

Summary: Provides counseling services and medical leave for crew members of a railroad company involved in an accident resulting in loss of life or serious bodily injury.

MA SD 84 Tolman (D)

Title: Railroad Company Medical Leave

Prefiled: 01/07/2009 Status: Pending

Summary: Provides counseling services and medical leave for crew members of a railroad company involved in an accident resulting in loss of life or serious bodily injury.

MA SD 1066 Spilka (D)

Title: Paid Family and Medical Leave

Prefiled: 01/07/2009 Status: Pending

Summary: Supports strong families by providing paid family and medical leave, increasing tax deductions and establishing a work-family council; provides that the council shall develop broadly shared understandings of critical work-family issues, and shall promote through privately funded research,

## **MICHIGAN**

MI H 4751 Calley (R)

Title: Military Personnel Introduced: 04/01/2009 Status: Pending

Summary: Allows unpaid leave for immediate family members of military personnel being deployed.

## **MISSISSIPPI**

MS H 459 Currie (R)

Title: State Law Enforcement Officers

Introduced: 01/11/2010 Status: Failed

Summary: Provides that state law enforcement officers are not required to use personal or major medical

leave when injured in line of duty.

MS H 1134 Barker (R)

Title: Major Medical Leave

Introduced: 01/18/2010 Status: Failed

Summary: Relates to major medical leave; removes requirement that state employee must use one day of

personal leave before using.

MS S 2224 Davis D (R)

Title: Major Medical Leave

Introduced: 01/06/2010 Status: Failed Summary: Relates to major medical leave; Bureau of Narcotics officers injured in the line of duty shall not be required to use earned major medical leave.

MS S 2356 Dearing (D)

Title: Major Medical Leave

Introduced: 01/11/2010 Status: Failed

Summary: Relates to major medical leave; certain state law enforcement officers are not required to use for

injuries in the line of duty.

MS S 2358 Dearing (D)

Title: Personal Or Medical Leave

Introduced: 01/11/2010 Status: Failed

Summary: Relates to personal or medical leave; states law enforcement officers shall not be required to use

after injury in the line of duty.

# **MISSOURI**

MO H 1940 Low (D)

Title: Paid Family Leave

Introduced: 02/02/2010

Status: Failed - Adjourned

Summary: Requires certain businesses to provide four weeks of paid family leave for its employees for the

birth or adoption of a child.

#### **NEW HAMPSHIRE**

NH H 661 Gile (D)

Title: Family Leave Insurance

Introduced: 01/08/2009 Status: Pending

Summary: Creates a family leave insurance program to allow parents to take time off to care for a newborn or newly placed child or to allow persons to care for a family member with a serious health condition, including a

wounded service member.

NH LSR 744 Gile (D)

Title: Family Leave Insurance

Prefiled: 12/02/2008 Status: Pending

Summary: Relates to family leave insurance.

## **NEW JERSEY**

NJ A 1193 Rudder (R)

Title: Family Temporary Disability Leave

Introduced: 01/12/2010 Status: Pending

Summary: Repeals law providing benefits for family temporary disability leave.

NJ A 1200 Rudder (R)

Title: Family Temporary Disability Leave Insurance

Introduced: 01/12/2010 Status: Pending

Summary: Delays implementation of paid family leave for two years.

NJ A 2376 Rudder (R)

Title: Family Temporary Disability Leave Act

Introduced: 03/04/2010 Status: Pending

Summary: Repeals law providing benefits for family temporary disability leave and deposits moneys from

the Family Temporary Disability Leave Account into the unemployment compensation fund.

# **NEW YORK**

NY A 1601 Zebrowski (D)

Title: Accrued Paid Vacation

Introduced: 01/07/2009 Status: Pending

Summary: Allows employees to use accrued paid vacation or paid sick or personal leave to care for family

members.

NY A 2865 Kolb (R)

Title: Family and Medical Leave Independent Saving Account Act

Introduced: 01/21/2009 Status: Pending

Summary: Establishes the "Family and medical leave independent savings account act"; provides a tax credit

for employee compensation deferred to such accounts.

NY A 3651 Lifton (D)

Title: Americans With Disabilities Act Of 1990

Introduced: 01/27/2009 Status: Pending

Summary: Waives the state's sovereign immunity to liability for violations of the Americans with Disabilities Act of 1990, the Fair Labor Standards Act, the Age Discrimination Act, and the Family and Medical Leave Act; also waives the immunity of all instrumentalities and political subdivisions of the state.

NY A 3965 Crouch (R)

Title: Students Medical Coverage

Introduced: 01/29/2009 Status: Pending

Summary: Provides that a student shall be eligible for up to eighteen months of coverage from every individual and group health insurance policy if such person is on medical leave from his or her school.

NY A 8742 Silver (D)

Title: Workers' Compensation Benefits Provisions

Introduced: 06/05/2009 Status: Pending

Summary: Provides workers' compensation benefits for injury or sickness, pregnancy or family leave; applies

to an employee and to family members taking family leave to care for an employee.

NY S 1824 Morahan (R)

Title: Temporary Disability Benefits

Introduced: 02/09/2009 Status: Pending

Summary: Amends the Workers' Compensation Law and the Insurance Law; provides for paid family leave

benefits.

NY S 2833 Krueger (D)

Title: Disability Act Violations

Introduced: 03/04/2009 Status: Pending Summary: Waives the state's sovereign immunity to liability for violations of the Americans with Disabilities Act of 1990, the Fair Labor Standards Act, the Age Discrimination Act, and the Family and Medical Leave Act; also waives the immunity of all instrumentalities and political subdivisions of the state.

NY S 4074 Addabbo (D)

Title: Workers Compensation Benefits for Family Care

Introduced: 04/09/2009 Status: Pending

Summary: Provides workers' compensation benefits for family care; applies to employee and family

member's taking family leave to care for the employee.

NY S 4180 Flanagan (R)

Title: Family and Medical Leave Independent Saving Account Act

Introduced: 04/15/2009 Status: Pending

Summary: Establishes the Family and Medical Leave Independent Savings Account Act; provides a tax credit

for employee compensation deferred to such accounts.

NY S 5791 Savino (D)

Title: Workers' Compensation Benefits Provisions

Introduced: 06/05/2009 Status: Pending

Summary: Provides workers' compensation benefits for injury or sickness, pregnancy or family leave; applies

to an employee and to family members taking family leave to care for an employee.

## **OKLAHOMA**

OK S 670 Aldridge (R)
Title: State Government
Introduced: 02/02/2009

Status: Enacted. 04/09/2009 Signed by Governor. 05/29/2009 Chapter No. 12.

Summary: Provisions agreed to through the Alternative Dispute Resolution Program provided by the Commission shall be consistent with applicable laws and rules and shall not alter, reduce, or modify any existing right or authority as provided by statute or rule; relates to provisions of the Family and Medical Leave Act; provides that donated hours or sick leave is transferable.

#### **PENNSYLVANIA**

PA H 83 Frankel (D)

Title: Tax Reform Code of 1971

Introduced: 01/28/2009 Status: Pending

Summary: Amends the Tax Reform Code of 1971. Establishes a tax credit for small businesses offering 12 weeks of paid family and medical leave annually. Provides for tax credits for participating businesses. Confers powers and imposes duties upon the Department of Revenue.

PA H 2278 McIlvaine Smith (D)
Title: Family and Medical Leave

Introduced: 03/05/2010 Status: Pending

Summary: Relates to the Family and Medical Leave Act (FMLA) for eligible employees. Requires that an employer subject to this section shall provide the same leave to an eligible employee to which the eligible employee is entitled under the FMLA with respect to a spouse, son, daughter or parent of the eligible

## **PUERTO RICO**

PR S 970 Ortiz Ortiz (PPD)

Title: Employee Accrued Vacation Transfers

Introduced: 06/30/2009 Status: Pending

Summary: Authorizes the transfer, including employees of a private sector company, accrued vacation leave, if an employee or an immediate family member suffers an emergency virtually impossible that the employee can perform its functions in a private entity for a considerable period.

# RHODE ISLAND

RI H 7809 Messier (D)

Title: Labor and Labor Relations

Introduced: 02/25/2010 Status: Failed - Adjourned

Summary: Would create comprehensive laws designed to provide workers to seek medical leave, to require employers to provide paid sick time for their employees and would protect employees from job loss for their approved use of their sick leave. This act would take effect ninety (90) days from passage, provided that in the case of employees covered by a collective bargaining agreement in

RI H 8198 Kennedy (D)
Title: Insurance
Introduced: 05/27/2010

Status: Enacted. 06/17/2010 To Governor. 06/25/2010 Became law without Governor's signature.

Public Law No. 2010-180.

Summary: Makes group health insurance coverage available for employees on extended medical leave.

RI S 2547 DeVall (D)

Title: Extended Medical Leave

Introduced: 02/11/2010

Status: Enacted. 06/17/2010 To Governor. 06/25/2010 Became law without Governor's signature.

Public Law No. 2010-187.

Summary: Makes group health insurance coverage available for employees on extended medical leave.

# SOUTH CAROLINA

SC H 4671 Gunn (D)

Title: Military Family Leave Act

Introduced: 03/03/2010 Status: Failed - Adjourned

Summary: Enacts the military family leave act; provides for leave entitlement.

SC S 155 Campsen (R)

Title: Military Parent Equal Protection Act

Introduced: 01/13/2009

Status: Enacted. 06/02/2009 Signed by Governor. 06/12/2009 Act No. 25.

Summary: Enacts the Military Parent Equal Protection Act; provides that a military parent's service is not a change in circumstance for purposes of child custody and visitation; provides that the nonmilitary parent must accommodate the military parent's leave schedule; provides that family court may hold an expedited hearing to ensure the military parent has access to a minor child; provides that decreases in earning due to military service are not considered a permanent change; provides for electronic testimony.

## **TENNESSEE**

TN H 397 Fincher (D)

Title: Employees and Employers

Introduced: 02/09/2009

Status: Failed - Adjourned

Summary: Relates to employees employers; prohibits employers from requiring employees to use vacation

time while on family or medical leave.

TN S 1731 Burks (D)

Title: Employees Employers

Introduced: 02/12/2009

Status: Failed - Adjourned

Summary: Relates to employees employers; prohibits employers from requiring employees to use vacation

time while on family or medical leave.

## **VERMONT**

VT H 672 Weston (D)
Title: Paid Family Leave
Introduced: 01/28/2010
Status: Failed - Adjourned

Summary: Proposes to establish a system of paid family leave, giving qualified employees up to six weeks of paid leave for the birth or adoption of a child or to care for themselves or a close family member who is suffering a

serious health condition.

## WASHINGTON

WA H 1160 Condotta (R)

Title: Family Leave Insurance Program

Introduced: 01/14/2009 Status: Failed - Adjourned

Summary: Eliminates the family leave insurance program.

WA H 1609 Dickerson (D)

Title: Family And Medical Leave

Introduced: 01/26/2009

Status: Failed - Adjourned

Summary: Concerns family and medical leave; revises family and medical leave provisions; requires each employer, for each individual, to pay a premium of two cents per hour worked, up to a maximum of forty hours per week, to the employment security department to be deposited into the family and medical leave insurance account; each employer may deduct from the pay of each individual the full amount that the employer is required to pay for the individual.

WA H 2353 Dickerson (D)

Title: Family Leave Insurance Program

Introduced: 04/15/2009

Status: Failed - Adjourned

Summary: relates to delaying the implementation of the family leave insurance program; provides an

expiration date.

WA S 5558 Holmquist (R)

Title: The 2007 Family And Medical Leave Insurance Act

Introduced: 01/26/2009

Status: Failed - Adjourned

Summary: Repeals the 2007 family and medical leave insurance act; repeals the 2007 family and medical leave insurance act.

WAS 5679 Keiser (D)

Title: Family and Medical Leave

Introduced: 01/28/2009

Status: Failed - Adjourned

Summary: Concerns family and medical leave; revises family and medical leave provisions; provides that, with respect to leave for the individual's serious health condition, an individual is disqualified from family and medical leave insurance benefits beginning with the first day of the calendar week, and continuing for the next fifty-two consecutive weeks, in which the individual is suffering from a serious health condition.

WA S 6158 Keiser (D)

Title: Family Leave Insurance Program

Introduced: 04/10/2009

Status: Enacted. 05/18/2009 Signed by Governor. Chapter No. 544.

Summary: Delays the implementation of the family leave insurance program; extends the authority of the Director of the Department of Labor and Industries to lend funds from the supplemental pension fund to the family leave insurance account.

# **WISCONSIN**

WI A 36 Mason (D)

Title: Medical Leave Act

Introduced: 02/12/2009 Status: Failed

Summary: Relates to liability of the state for a violation of the federal Family and Medical Leave Act of 1993, Fair Labor Standards Act, or Age Discrimination in Employment Act of 1967 or of Title I of the federal Americans with Disabilities Act of 1990.

WI A 231 Molepske (D)
Title: Civil Procedure
Introduced: 04/23/2009
Status: Failed

Summary: Relates to the time within which a complaint may be filed or a civil action may be brought alleging a violation of the family and medical leave law and the procedures governing an appeal of a determination of the Department of Workforce Development under that law.

WI S 19 Taylor (D)

Title: Family and Medical Leave Act

Introduced: 01/28/2009 Status: Failed

Summary: Relates to liability of the state for a violation of the federal Family and Medical Leave Act of 1993, Fair Labor Standards Act, or Age Discrimination in Employment Act of 1967 or of Title I of the federal Americans with Disabilities Act of 1990.

WI S 196 Lassa (D)

Title: Violations of Family and Medical Leave Law

Introduced: 05/07/2009 Status: Failed

Summary: Relates to the time within which a complaint may be filed or a civil action may be brought alleging a violation of the family and medical leave law and the procedures governing an appeal of a determination of the Department of Workforce Development under that law.

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