

By Senator Berman

26-00135-24

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1 A bill to be entitled
 2 An act relating to paid parental leave; amending s.
 3 110.221, F.S.; defining the term "paid parental
 4 leave"; requiring the state to provide paid parental
 5 leave to certain employees for a specified time
 6 period; prohibiting the state from requiring that an
 7 employee use his or her annual or sick leave for paid
 8 parental leave; providing that the employee is
 9 entitled to accumulate specified benefits during such
 10 leave; prohibiting the state from refusing to grant
 11 such leave; providing an effective date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

14
 15 Section 1. Section 110.221, Florida Statutes, is amended to
 16 read:

17 110.221 Parental or family medical leave.—

18 (1) As used in this section, the term:

19 (a) "Family" means a child, parent, or spouse. ~~and the~~
 20 ~~term~~

21 (b) "Family medical leave" means leave requested by an
 22 employee for a serious family illness including an accident,
 23 disease, or condition that poses imminent danger of death,
 24 requires hospitalization involving an organ transplant, limb
 25 amputation, or other procedure of similar severity, or any
 26 mental or physical condition that requires constant in-home
 27 care.

28 (c) "Paid parental leave" means fully paid leave for the
 29 father or mother of a child who is born or adopted by that

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30 parent.

31 (d) ~~The term~~ "Parental leave" means leave for the father or
32 mother of a child who is born to or adopted by that parent.

33 (2) The state shall provide 12 weeks of paid parental leave
34 to any employee in the career service following the birth or
35 adoption of a child by the employee. The state may not require
36 such employee to use his or her annual leave or sick leave
37 during the initial 12-week period. The employee is entitled to
38 accumulate all benefits granted under paid leave status.

39 (3) The state may ~~shall~~ not:

40 (a) Terminate the employment of any employee in the career
41 service because of the pregnancy of the employee or the
42 employee's spouse or the adoption of a child by that employee.

43 (b) Refuse to grant to a career service employee:

44 1. Paid parental leave; or

45 2. Parental or family medical leave without pay for a
46 period not to exceed 6 months. Such leave shall commence on a
47 date that is determined by the employee in consultation with the
48 attending physician following notification to the employer in
49 writing, and that is approved by the employer.

50 (c) Deny a career service employee the use of and payment
51 for annual leave credits for parental or family medical leave.
52 Such leave shall commence on a date determined by the employee
53 in consultation with the attending physician following
54 notification to the employer in writing.

55 (d) Deny a career service employee the use of and payment
56 for accrued sick leave or family sick leave for any reason
57 deemed necessary by a physician or as established by policy.

58 (e) Require that a career service employee take a mandatory

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59 parental or family medical leave.

60 (4)~~(3)~~ Upon returning at the end of parental or family
61 medical leave of absence, such employee shall be reinstated to
62 the same job or to an equivalent position with equivalent pay
63 and with seniority, retirement, fringe benefits, and other
64 service credits accumulated prior to the leave period. If any
65 portion of the parental or family medical leave is paid leave,
66 the employee shall be entitled to accumulate all benefits
67 granted under paid leave status.

68 Section 2. This act shall take effect July 1, 2024.