

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

FILED SENATE  
Feb 26, 2019  
S.B. 130  
PRINCIPAL CLERK

S

D

SENATE BILL DRS45049-LR-18

Short Title: State Employees/Paid Parental Leave. (Public)

Sponsors: Senators Britt, Krawiec, and Chaudhuri (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT ENACTING THE STATE EMPLOYEES' PAID PARENTAL LEAVE ACT.  
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** This act shall be known and may be cited as the "State Employees'  
5 Paid Parental Leave Act."

6 **SECTION 2.** Article 2 of Chapter 126 of the General Statutes is amended by adding  
7 a new section to read:

8 "**§ 126-8.6. Paid parental leave for birth and adoption; program requirements; reporting.**

9 (a) Paid Parental Leave. – The State Human Resources Commission, in cooperation with  
10 the State Board of Community Colleges and the State Board of Education, shall adopt rules and  
11 policies to allow any employee at a State agency to share leave voluntarily with another employee  
12 of a State agency, community college, or public school for the purpose of providing paid parental  
13 leave. No more than six weeks of parental leave may be accrued through the donations authorized  
14 by this section. For the purposes of this section, "parental leave" means leave for the birth of a  
15 biological child or the placement of an adoptive child in the requesting employee's home.

16 (b) Donee Eligibility. – An employee must be in a full-time, permanent position in order  
17 to receive paid parental leave under this section and must have been continuously employed with  
18 the State for at least 12 months immediately preceding the request for paid parental leave.  
19 Further, the employee must certify, in good faith, an intent to return to State employment for at  
20 least one year following the paid leave period.

21 (c) Donor Eligibility. – An employee donating leave is not required to be employed by  
22 the same State agency, department, institution, university, local school administrative unit, or  
23 community college as the employee who is receiving the paid parental leave.

24 (d) Other Requirements. – The paid parental leave authorized under this section:

25 (1) Is available only within the first 12 weeks after the birth or adoption of a child.

26 (2) Is available without exhaustion of the employee's sick and vacation leave.

27 (3) Is in addition to, and not in lieu of, shared leave under G.S. 126-8.3, or other  
28 leave authorized by federal or State law.

29 (4) May not be used for retirement purposes. (Employees who donate sick leave  
30 shall be notified in writing of the State retirement credit consequences of  
31 donating sick leave.)

32 (e) Reporting. – The State Human Resources Commission, the State Board of Education,  
33 and the State Board of Community Colleges and all State agencies, departments, and institutions  
34 shall report annually to the Office of State Human Resources on the paid parental leave program.  
35 The report shall include the total number of days or hours of vacation leave and sick leave  
36 donated, and used, and the total cost of the parental leave program for the prior fiscal year."



\* D R S 4 5 0 4 9 - L R - 1 8 \*

1           **SECTION 3.** Article 2 of Chapter 115C of the General Statutes is amended by adding  
2 a new section to read:

3 **"§ 115C-12.3. Paid parental leave program.**

4       (a)     The State Board of Education, in cooperation with the State Board of Community  
5 Colleges and the State Human Resources Commission, shall adopt rules and policies to allow  
6 any employee at a public school to share leave voluntarily with an employee of a State agency,  
7 community college, or public school for the purpose of providing paid parental leave. No more  
8 than six weeks of parental leave may be accrued through the donations authorized by this section.  
9 For the purposes of this section, "parental leave" means leave for the birth of a biological child  
10 or the placement of an adoptive child in the requesting employee's home.

11       (b)     The State Board of Education shall adopt rules and policies for the parental leave  
12 program that are consistent with the provisions of G.S. 126-8.6."

13           **SECTION 4.** Article 2 of Chapter 115D of the General Statutes is amended by  
14 adding a new section to read:

15 **"§ 115D-25.5. Paid parental leave program.**

16       (a)     The State Board of Community Colleges, in cooperation with the State Board of  
17 Education and the State Human Resources Commission, shall adopt rules and policies to allow  
18 any employee at a community college to share leave voluntarily with an employee of a State  
19 agency, community college, or public school for the purpose of providing paid parental leave.  
20 No more than six weeks of parental leave may be accrued through the donations authorized by  
21 this section. For the purposes of this section, "parental leave" means leave for the birth of a  
22 biological child or the placement of an adoptive child in the requesting employee's home.

23       (b)     The State Board of Community Colleges shall adopt rules and policies for the parental  
24 leave program that are consistent with the provisions of G.S. 126-8.6."

25           **SECTION 5.** This act is effective when it becomes law.