



# ACT #2025 - 81

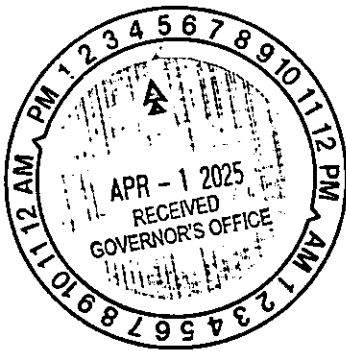
1 SB199

2 NRH2RTJ-3

3 By Senators Figures, Coleman-Madison, Stewart, Kitchens,  
4 Livingston, Chesteen, Waggoner, Kelley, Beasley, Butler,  
5 Sessions, Williams, Givhan, Gudger, Smitherman, Melson,  
6 Albritton, Jones, Chambliss, Hatcher, Bell, Allen, Carnley,  
7 Orr

8 RFD: Finance and Taxation Education

9 First Read: 25-Feb-25





## SB199 Enrolled

1 Enrolled, An Act,

2       Relating to state employees and employees of local  
3 education agencies; to add Chapter 6A, commencing with Section  
4 36-6A-1, to Title 36 of the Code of Alabama 1975; to provide  
5 for paid parental leave for eligible employees following the  
6 birth, stillbirth, or miscarriage of a child or the placement  
7 of a child for adoption; to provide limitations and  
8 requirements related to the use of parental leave; to require  
9 the State of Alabama Personnel Department, the State Board of  
10 Education, and the Alabama Community College System to adopt  
11 rules governing the implementation and administration of  
12 parental leave; to require the State of Alabama Personnel  
13 Department, the State Department of Education, and the Alabama  
14 Community College System to make an annual report; to amend  
15 Section 36-26-35.2, Code of Alabama 1975.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17       Section 1. This act shall be known and may be cited as  
18 the Alabama Public Employee Paid Parental Leave Act of 2025.

19       Section 2. Chapter 6A, commencing with Section 36-6A-1,  
20 is added to Title 36 of the Code of Alabama 1975, to read as  
21 follows:

22       "§36-6A-1

23       For the purposes of this chapter, the following terms  
24 have the following meanings unless otherwise indicated by  
25 context:

26       (1) APPLICABLE EMPLOYING AGENCY. A state entity, local  
27 education agency, or the Alabama Community College System or  
28 any of its institutions that employs an eligible employee.



29 (2) BASE PAY. The eligible employee's current, ordinary  
30 rate of pay as reasonably determined by the applicable  
31 employing agency.

32 (3) ELIGIBLE EMPLOYEE. Either of the following:

33 a. A state employee who has been employed in any of the  
34 following categories for at least 12 consecutive months  
35 immediately preceding the occurrence of a qualifying event:

36 1. Legislative personnel, officers, and employees,  
37 including personnel, officers, and employees of the  
38 Legislative Services Agency, as set forth in Section  
39 36-6-1(a)(2).

40 2. Court officials and employees of the Unified Judicial  
41 System as set forth in Section 36-6-1(a)(3).

42 3. Employees of the Administrative Office of Courts as  
43 set forth in Section 36-6-1(a)(4).

44 4. Hourly personnel considered to be permanent employees  
45 as set forth in Section 36-6-1(a)(5).

46 5. Members of the unclassified service as set forth in  
47 Section 36-26-10(c) or any employees otherwise designated  
48 unclassified by law.

49 6. Members of the classified service as set forth in  
50 Section 36-26-10(d).

51 7. Members of the exempt service as set forth in Section  
52 36-26-10(b)(3), (b)(8), (b)(10), and (b)(11), and any member of  
53 the exempt service who accrues leave pursuant to an  
54 authorizing statute.

55 b. A certified or noncertified employee of a local  
56 education agency who has been employed by any local education



57 agency in this state for at least 12 consecutive months  
58 immediately preceding the occurrence of a qualifying event.  
59 For the purposes of this act, the term "local education  
60 agency" includes the Board of Trustees of the Alabama  
61 Institute for Deaf and Blind.

62 c. An employee of the Alabama Community College System or  
63 any of the educational institutions under its authority and  
64 control, who has been employed by the system or an educational  
65 institution for at least 12 consecutive months immediately  
66 preceding the occurrence of a qualifying event.

67 (4) HEALTHCARE PROFESSIONAL. A physician, physician  
68 assistant, nurse practitioner, or midwife who is licensed to  
69 practice in his or her respective field in the State of  
70 Alabama.

71 (5) MISCARRIAGE. The loss of an unborn child at or after  
72 twelve weeks gestation and is confirmed in writing by a  
73 healthcare professional. The term does not include an abortion  
74 as defined in Section 26-23H-3 unless necessary to prevent a  
75 serious health risk to the unborn child's mother as permitted  
76 under Section 26-23H-4.

77 (6) PARENTAL LEAVE. Paid leave provided to an eligible  
78 employee in connection with a qualifying event pursuant to  
79 this chapter.

80 (7) QUALIFYING EVENT. Any of the events that entitle an  
81 eligible employee to parental leave pursuant to Section  
82 36-6A-2.

83 (8) STILLBIRTH. The loss of an unborn child at or after  
84 20 weeks gestation that is confirmed in writing by a



85 healthcare professional. The term does not include an abortion  
86 as defined in Section 26-23H-3 unless necessary to prevent a  
87 serious health risk to the unborn child's mother as permitted  
88 under Section 26-23H-4."

89 "§36-6A-2

90 (a) (1) An eligible employee who is female shall be  
91 entitled to eight weeks of parental leave in connection with  
92 the birth, stillbirth, or miscarriage of her child which  
93 occurs on or after July 1, 2025.

94 (2) An eligible employee who is male shall be entitled to  
95 two weeks of parental leave in connection with the birth,  
96 stillbirth, or miscarriage of his child which occurs on or  
97 after July 1, 2025.

98 (3) An eligible employee shall be entitled to eight weeks  
99 of parental leave in connection with the placement of a child  
100 with the eligible employee for adoption which occurs on or  
101 after July 1, 2025, provided the child is three years of age  
102 or younger at the time that he or she is placed with the  
103 eligible employee. In the event that parents who jointly adopt  
104 a child are both eligible employees, one parent shall be  
105 entitled to eight weeks of parental leave in connection with  
106 the adoption and one parent shall be entitled to two weeks of  
107 parental leave in connection with the adoption. The State of  
108 Alabama Personnel Department, the State Board of Education,  
109 and the Alabama Community College System shall jointly adopt  
110 rules to implement this subdivision.

111 (b) An eligible employee may not take parental leave  
112 under this section unless he or she has completed the



113 requirements of subdivision (b) (1) and paragraph (b) (2) a. prior  
114 to taking parental leave.

115 (1) The eligible employee shall provide the applicable  
116 employing agency a written plan regarding his or her intended  
117 use of the parental leave and any other leave he or she  
118 intends to take in connection with the qualifying event.

119 (2) a. The eligible employee shall agree in writing with  
120 the applicable employing agency not to separate from  
121 employment for a period of at least eight weeks following the  
122 conclusion of any leave taken in connection with the  
123 qualifying event.

124 b. The requirement of paragraph a. may be waived by the  
125 applicable employing agency in circumstances where the  
126 eligible employee is unable to return to work such as a  
127 serious health condition of the employee or of an immediate  
128 family member.

129 c. If the eligible employee fails to comply with the  
130 return-to-work agreement required by this subdivision, the  
131 applicable employing agency may recover from the eligible  
132 employee, by offset or otherwise, an amount equal to the  
133 eligible employee's hourly rate of pay multiplied by the  
134 number of hours the eligible employee failed to work in  
135 compliance with the return-to-work agreement.

136 (3) In the event of an emergency that prevents an  
137 eligible employee from completing the requirements of  
138 subdivision (b) (1) and paragraph (b) (2) a. prior to taking  
139 parental leave, the eligible employee shall complete these  
140 requirements as soon as practicable after the emergency has



141 ended.

142 (c) An eligible employee may use any parental leave to  
143 which he or she is entitled under this chapter intermittently  
144 or on a reduced leave schedule, subject to the following  
145 limitations:

146 (1) The parental leave shall be used within 365 days of  
147 the qualifying event or within 365 days of the eligible  
148 employee taking parental leave for a qualifying event,  
149 whichever occurs sooner. An eligible employee may only use  
150 parental leave in connection with one qualifying event during  
151 a 365-day period, even if more than one qualifying event  
152 occurs.

153 (2) The eligible employee shall maintain a continuing  
154 parental role with any child whose birth or adoption was a  
155 qualifying event.

156 (3) Parental leave taken intermittently or on a reduced  
157 leave schedule for bonding purposes shall be agreed to by the  
158 applicable employing agency prior to the start of the leave.

159 (d) Parental leave taken under this section shall run  
160 concurrently with leave taken under Section 25-1-61 and under  
161 the Family and Medical Leave Act of 1993, codified as 29  
162 U.S.C. § 2611, et seq.

163 (e) Upon the expiration of an eligible employee's  
164 parental leave, the eligible employee shall be restored to the  
165 position that he or she held at the time of the qualifying  
166 event or to an equivalent position with equivalent seniority,  
167 status, employment benefits, pay, and other terms and  
168 conditions of employment, including any fringe benefits and



169 service credits, that the eligible employee received or was  
170 entitled to prior to the commencement of his or her parental  
171 leave. A local education agency employee, as provided in  
172 Section 36-6A-1(3)b., shall be restored to the grade taught  
173 prior to taking parental leave unless otherwise agreed to by  
174 the employee. Nothing in this chapter shall be construed to  
175 prevent an eligible employee from receiving any cost-of-living  
176 salary increase provided generally to eligible employees or  
177 any merit increase to which the eligible employee would have  
178 been entitled had he or she not taken parental leave."

179 "§36-6A-3

180 (a) Parental leave authorized by this chapter shall be  
181 administered as follows:

182 (1) Parental leave shall be paid at 100 percent of the  
183 eligible employee's base pay.

184 (2) Parental leave shall remain at 100 percent of the pay  
185 provided in subdivision (1) for the duration of the leave as  
186 if the eligible employee worked continuously from the date  
187 that the eligible employee commenced his or her parental  
188 leave until the date the eligible employee returns from  
189 parental leave.

190 (3) Parental leave shall not require an eligible employee  
191 to use or exhaust sick leave, annual leave, or any other leave  
192 or paid time off.

193 (4) Parental leave has no cash value.

194 (b) Any unused parental leave may not be used to  
195 calculate an eligible employee's retirement benefits.

196 (c) Unused parental leave shall not roll over, be



197 reserved for use during a subsequent qualifying event, or be  
198 paid to the eligible employee."

199        "§36-6A-4

200        (a) During an eligible employee's parental leave, the  
201 applicable employing agency shall continue to pay the  
202 employer's contribution to maintain any health care benefits  
203 the employee had at the time of the qualifying event for the  
204 duration of the leave as if the eligible employee had  
205 continued in employment continuously from the date the  
206 eligible employee commenced the parental leave until the date  
207 the eligible employee returns from the leave.

208        (b) The eligible employee shall continue to pay his or  
209 her share of the cost of health care benefits, if any, as was  
210 required of him and her prior to the commencement of parental  
211 leave."

212        "§36-6A-5

213        (a) (1) The State Personnel Department shall adopt rules  
214 to implement and administer this chapter as to state employees  
215 who may be an eligible employee as defined in Section  
216 36-6A-1(3)a.

217        (2) The State Board of Education shall adopt rules to  
218 implement and administer this chapter as to local education  
219 agency employees who may be an eligible employee as defined in  
220 Section 36-6A-1(3)b. Rules adopted pursuant to this  
221 subdivision shall apply to an eligible employee of a public  
222 charter school notwithstanding Section 16-6F-9(a)(3).

223        (3) The Board of Trustees of the Alabama Community  
224 College System (ACCS) shall adopt rules to implement and



225 administer this chapter as to employees of the Alabama  
226 Community College System and the educational institutions  
227 under its authority and control who may be an eligible  
228 employee as defined in Section 36-6A-1(3)c.

229 (b) The rules adopted pursuant to subsection (a) shall  
230 set reasonable procedures necessary to implement this chapter,  
231 including any necessary forms, for an eligible employee  
232 exercising his or her right to parental leave under this  
233 chapter. Forms and procedures shall not be unduly burdensome  
234 to the eligible employee.

235 (c) The rules adopted pursuant to subsection (a) shall  
236 provide for each state employee, local education agency  
237 employee, and employee of ACCS to receive written notice upon  
238 his or her hiring of the following:

239 (1) An eligible employee's right to parental leave  
240 pursuant to this chapter.

241 (2) The number of weeks of parental leave available to an  
242 eligible employee.

243 (3) The procedure for taking parental leave."

244 "\$36-6A-6

245 No later than October 1, 2026, and every October 1  
246 thereafter until October 1, 2030, the State Personnel  
247 Department, the State Department of Education, and the Alabama  
248 Community College System shall submit to the Governor and the  
249 Legislature and make publicly available information regarding  
250 the implementation and use of parental leave by eligible  
251 employees for the previous fiscal year."

252 Section 3. Section 36-26-35.2, Code of Alabama 1975,

SB199 Enrolled



253 shall be amended to read as follows:

254           "§36-26-35.2

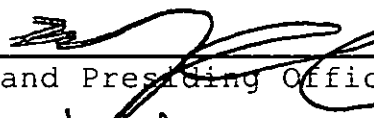

255           ~~(a) Notwithstanding any other laws to the contrary, a~~  
256 state employee employed in any branch of state government may:  
257 donate his or her accrued and unused annual, sick, or  
258 compensatory leave to another state employee who has qualified  
259 for catastrophic sick leave ~~or family leave~~. The donation  
260 shall be subject to the approval of the appointing authority  
261 of the employee making the donation and, if the donating  
262 employee is in a position with a lower pay grade than the  
263 position of the employee receiving the donation, the approval  
264 of the State Personnel Board. The appointing authority of the  
265 employee receiving the donation may limit the number of hours  
266 an employee may receive per catastrophic illness ~~or family~~  
267 leave. No employee may receive more than 480 hours of donated  
268 leave throughout his or her career with the state without the  
269 approval of the State Personnel Board. ~~A state employee who~~  
270 ~~qualifies for the receipt of donated leave for adoption shall~~  
271 ~~receive up to a maximum of two weeks of donated leave per~~  
272 ~~adoption.~~

273           ~~(b) For purposes of this section only, "family leave"~~  
274 ~~means maternity or adoption leave pursuant to rules of the~~  
275 ~~State Personnel Board."~~

276           Section 4. This act shall become effective July 1,  
277 2025.



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\_\_\_\_\_  
President and Presiding Officer of the Senate  
  
\_\_\_\_\_  
Speaker of the House of Representatives

SB199  
Senate 05-Mar-25  
I hereby certify that the within Act originated in and passed  
the Senate, as amended.

Patrick Harris,  
Secretary.

\_\_\_\_\_  
House of Representatives  
Passed: 20-Mar-25  
\_\_\_\_\_

By: Senator Figures

APPROVED April 2, 2025  
TIME 11:00 a.m.

  
\_\_\_\_\_  
GOVERNOR

Alabama Secretary of State  
Act Num....: 2025-081  
Bill Num....: S-199  
Recv'd 04/02/2025 11:24AM KCW

ENGROSSED

Senate Bill No. 199

SPONSOR \_\_\_\_\_  
 CO-SPONSORS \_\_\_\_\_

1 Figueres \_\_\_\_\_  
 2 Coleman-Madison 19 Chamberliss  
 3 Stewart 20 Hatcher  
 4 Kitchens 21 Bell  
 5 Livingston 22 Allen  
 6 Crestein 23 Carnley  
 7 Maggoner 24 O'Yr  
 8 Kelley 25 \_\_\_\_\_  
 9 Beasey 26 \_\_\_\_\_  
 10 Butter 27 \_\_\_\_\_  
 11 Sessions 28 \_\_\_\_\_  
 12 Williams 29 \_\_\_\_\_  
 13 Grivhan 30 \_\_\_\_\_  
 14 Gudger 31 \_\_\_\_\_  
 15 Smitherman 32 \_\_\_\_\_  
 16 Nelson 33 \_\_\_\_\_  
 17 Albinton 34 \_\_\_\_\_  
 18 Jones 35 \_\_\_\_\_

SENATE ACTION

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 199.

YEAS 32 NAYS 0 ABSTAIN 0

PATRICK HARRIS,  
Secretary

I hereby certify that the notice & proof is attached to the Bill, SB \_\_\_\_\_ as required in the General Acts of Alabama, 1975 Act No. 919.

PATRICK HARRIS,  
Secretary

CONFERENCE COMMITTEE

Senate Conferees \_\_\_\_\_

HOUSE ACTION

DATE: 3-19 2025  
 RD 1 RFD MAKLE

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on WAYS & MEANS-EDUCATION was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed, w/amend(s) W/SUB 8 20-25  
 This 1ST day of MARCH, 2025  
Margaret Switt Chairperson

DATE: 3-19 2025  
 RF \_\_\_\_\_ RD 2 CAL \_\_\_\_\_

DATE: \_\_\_\_\_ 20\_\_\_\_  
 RE-REFERRED  RE-COMMITTED   
 Committee \_\_\_\_\_

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB \_\_\_\_\_.

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

JOHN TREADWELL,  
Clerk

FURTHER HOUSE ACTION (OVER)