

**SB199 ENROLLED**



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



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Enrolled, An Act,

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

"§36-6A-1

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

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



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

(3) ELIGIBLE EMPLOYEE. Either of the following:

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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



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

"§36-6A-2

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

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

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

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



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

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

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

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

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

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



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ended.

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

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

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

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

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

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



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

### "§36-6A-3

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

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

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

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

(4) Parental leave has no cash value.

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

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





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

"§36-6A-4

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

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

"§36-6A-5

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

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

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



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

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

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

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

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

(3) The procedure for taking parental leave."

"§36-6A-6

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

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



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shall be amended to read as follows:

"§36-26-35.2

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

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

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



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President and Presiding Officer of the Senate

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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.

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House of Representatives  
Passed: 20-Mar-25

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By: Senator Figures