

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 839

Short Title: State Employees/Give Leave for Pregnancy Loss. (Public)

Sponsors: Senators Murdock and Applewhite (Primary Sponsors).

Referred to: Rules and Operations of the Senate

May 6, 2024

A BILL TO BE ENTITLED

AN ACT PROVIDING STATE EMPLOYEES WITH PAID LEAVE DURING AND FOLLOWING A PREGNANCY LOSS AND APPROPRIATING FUNDS FOR THAT PURPOSE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Effective July 1, 2024, Article 2 of Chapter 126 of the General Statutes is amended by adding a new section to read:

"§ 126-8.7. Paid leave for pregnancy loss.

(a) The State Human Resources Commission (Commission) shall adopt rules and policies to provide that a permanent, probationary, or time-limited full-time State employee shall be granted paid leave for pregnancy loss. For the purposes of this section, the term "pregnancy loss" means a miscarriage, an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure, a failed adoption arrangement, a failed surrogacy arrangement, or a diagnosis or event that impacts pregnancy or fertility.

(b) The Commission shall adopt rules and policies to provide that a permanent, probationary, or time-limited part-time State employee shall be granted a prorated amount of paid leave for pregnancy loss on an equitable basis.

(c) The rules and policies adopted by the Commission shall include the following requirements, at the minimum:

(1) That the duration of leave for pregnancy loss shall be not less than 56 hours of paid leave.

(2) That an employee requesting the paid leave shall submit a request for leave to process and address their own health needs and the health needs of their partners during the time period following a pregnancy loss.

(3) A period of minimum service before an employee becomes eligible for paid leave under this section. The rules shall provide that the period of minimum service may be met by aggregating employment at any of the following:

a. State agencies, departments, and institutions, including The University of North Carolina.

b. Public school units that provide paid leave in accordance with this section.

c. Community colleges located in this State.

(d) The leave authorized by this section:

(1) Is available without exhaustion of the employee's sick and vacation leave and is awarded in addition to shared leave under G.S. 126-8.3, or other leave authorized by State or federal law.



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- 1 (2) Has no cash value upon termination from employment.
2 (3) May not be used for calculating an employee's retirement benefits.
3 (e) The provisions of this section shall apply to employees of State agencies,
4 departments, and institutions, including The University of North Carolina; to public school
5 employees; and to community college employees. The appropriate governing board, officer, or
6 entity shall adopt rules and policies to award paid leave for pregnancy loss to employees that are
7 substantially equivalent to those adopted by the State Human Resources Commission."

8 **SECTION 1.(b)** Effective July 1, 2024, G.S. 126-5(c19) reads as rewritten:

9 "(c19) Notwithstanding any other provision of this Chapter, G.S. 126-8.6 ~~applies~~and
10 G.S. 126-8.7 apply to all State employees, public school employees, and community college
11 employees. G.S. 126-8.6 ~~does~~and G.S. 126-8.7 do not apply to employees described in
12 subdivisions (2) and (3) of subsection (c1) of G.S. 126 5. The legislative and judicial branches
13 shall adopt parental leave and pregnancy loss leave policies."

14 **SECTION 2.** Effective July 1, 2024, there is appropriated from the General Fund to
15 the Reserve for Compensation Increases the sum of one million eight hundred thousand dollars
16 (\$1,800,000) for the 2024-2025 fiscal year to fund paid leave for pregnancy loss as enacted by
17 this act.

18 **SECTION 3.** This act becomes effective July 1, 2024, and applies to requests for
19 pregnancy loss occurring on or after that date.