

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 447

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H.P. 323

House of Representatives, February 16, 2021

**An Act To Require Equivalent Paid Parental Leave for All Parents  
Employed by Companies Offering Paid Parental Leave**

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Received by the Clerk of the House on February 11, 2021. Referred to the Committee on Labor and Housing pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative ROEDER of Bangor.  
Cosponsored by Representatives: DUNPHY of Old Town, McDONALD of Stonington,  
SUPICA of Bangor, Senator: BALDACCI of Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 26 MRSA §843, sub-§4-C** is enacted to read:

3 **4-C. Parental leave.** "Parental leave" means leave requested by an employee for:

4 A. The birth of the employee's child or the employee's domestic partner's child; or

5 B. The placement of a child 16 years of age or less with the employee or with the  
6 employee's domestic partner in connection with the adoption of the child by the  
7 employee or the employee's domestic partner.

8 **Sec. 2. 26 MRSA §848-A** is enacted to read:

9 **§848-A. Paid parental leave**

10 **1. Requirements.** If an employer provides paid parental leave, the employer shall  
11 offer an equal amount of paid parental leave for the birth of a child, as specified in section  
12 843, subsection 4-C, paragraph A, and the placement of a child, as specified in section 843,  
13 subsection 4-C, paragraph B. If an employer provides paid parental leave, the employer  
14 may not offer different amounts of paid parental leave based on the gender of the employee  
15 or employee's domestic partner.

16 **2. Penalty.** An employer that violates this section commits a civil violation for which  
17 a fine of \$10,000 for each violation must be adjudged.

18 **SUMMARY**

19 This bill requires an employer that provides paid parental leave to provide an equal  
20 amount of leave for the birth of a child and the adoption of a child. It also prohibits an  
21 employer from providing different amounts of paid parental leave based on the gender of  
22 the employee or employee's domestic partner. The bill uses the definition of "employer"  
23 under the family medical leave laws. The bill establishes a fine of \$10,000 for violation of  
24 these requirements.