



Prince George's County, Maryland

Inter-Office Memorandum

Office of Law

LEGISLATIVE COMMENT

DATE: October 19, 2025

TO: Colette Gresham, Acting Council Administrator

THRU: Anthony D. Jones, County Attorney

THRU: Jason A. Alston, Deputy County Attorney

FROM: Terry L. Bell, Associate County Attorney

RE: CB-102-2025

The Office of Law has reviewed the above referenced bill as it was presented on October 14, 2025, and finds it to be in proper legislative form. However, the Office of Law has some concerns regarding the classification of leave in CB-102-2025 as “sick leave”. Prince George’s County Code, Subtitle 16 – Personnel, Division 17 – Leave, §16-221 – Sick leave, as listed below, defines the criteria for when sick leave is granted, as this statute addressees the granting of sick leave for health-related conditions. Attending immigration proceedings is not related to a health condition and does not fit within the intent of the sick leave statute.

(e) Granting of Sick Leave.

- (1) Subject to the provisions of Subsection (f), below, an employee shall be entitled to use earned sick leave for any one (1) of the following reasons:
 - (A) Sickness, disability, or serious health condition which incapacitates an employee. As used in this Subtitle, the term serious health condition means an illness, injury, impairment, or physical or mental condition that involves

inpatient care in a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider;

- (B) Necessary medical or dental appointments;
- (C) Confinement at home because of quarantine;
- (D) Illness or serious health condition of, or to obtain medical care for, the employee's family member. The term "family" shall include the employee's spouse, mother- or father-in-law, child (biological, adopted, foster, stepchild, legal ward or child from whom the employee stands in loco parentis regardless of the child's age), parent (employee's legal guardian or an individual who acted as a parent or stood in loco parentis to the employee when the employee was a minor), grandparent, grandchild, and siblings that require care by the employee during normal work hours;
- (E) Birth of a child, pursuant to the provisions of Section 16-225.02;
- (F) Adoption of a dependent child, pursuant to the provisions of Section 225.02; and
- (G) Death of anyone in an employee's family, not to exceed five (5) working days; provided further, that for purposes of this subparagraph, the term "family" shall include the employee's spouse, child (including biological, adopted, foster, stepchild, or legal ward), parent, grandparent, grandchild, brother, sister, brother- or sister-in-law, mother- or father-in-law, or son- or daughter-in-law.
- (H) Due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is being used for the following:
 - (i) By the employee to obtain preventive medical care for the employee or employee's family member;
 - (ii) Medical or mental health attention that is related to the domestic violence, sexual assault, or stalking;
 - (iii) Services from a victim services organization related to the domestic violence, sexual assault, or stalking;
 - (iv) Legal services or proceedings related to or resulting from the domestic violence, sexual assault, or stalking; or,
 - (v) During the time the employee has temporarily relocated due to the domestic violence, sexual assault, or stalking.

The classification of leave to attend immigration proceedings is more aligned with “annual leave”, pursuant to §16-220, which states that “annual leave shall mean paid leave granted to employees for their personal use” or would be more prudent and legally sound to place the leave under Section 16-222 – Administrative Leave, as listed in part below. This section already contemplates leave for legal proceedings similar to immigration proceedings.

Sec. 16-222. - Administrative leave.

(a) Administrative leave may be granted to any full-time or part-time employee by the employee's appointing authority for any one (1) of the following reasons:

(1) Performance of jury duty;

(2) Where an employee is subpoenaed to appear before a court or otherwise officially requested to appear before a public body, public agency or commission on matters relating to government business;

(2.1) When summoned as a witness in a criminal case;

...

Summarily, allowing employees to attend immigration proceedings and use sick leave, would be contrary to the purpose of the sick leave statute and such leave would be more in line with the use of annual or administrative leave.