
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 217 Session of
2023

INTRODUCED BY COSTA, FONTANA, HAYWOOD, HUGHES, COLLETT, SCHWANK,
KANE, DILLON, TARTAGLIONE, STREET, CAPPELLETTI, BREWSTER,
SANTARSIERO, KEARNEY, COMMITTA AND SAVAL, JANUARY 31, 2023

REFERRED TO LABOR AND INDUSTRY, JANUARY 31, 2023

AN ACT

1 Providing for family and medical leave for eligible employees.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Pennsylvania
6 Family and Medical Leave Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Department." The Department of Labor and Industry of the
12 Commonwealth.

13 "Domestic partner." A member of a domestic partnership.

14 "Domestic partnership." A long-term committed relationship
15 between two unmarried individuals who:

16 (1) Are residents of this Commonwealth, or one of whom
17 is employed, owns real property or owns and operates a

1 business in this Commonwealth or is a recipient of or has a
2 vested interest in employee benefits from the Commonwealth.

3 (2) Are at least 18 years of age and competent to
4 contract.

5 (3) Are not related to each other by blood in any way
6 which would prohibit marriage in this Commonwealth.

7 (4) Have no other domestic partner but the other
8 individual.

9 (5) Have not been a member of a different domestic
10 partnership for the three months prior to requesting family
11 and medical leave unless the previous domestic partnership
12 ended as a result of the death of the other domestic partner.

13 (6) Agree to share the common necessities of life and to
14 be responsible for each other's common welfare.

15 (7) Share at least one residence with the other domestic
16 partner.

17 (8) Agree under penalty of law to notify the department
18 of any change in the status of the domestic partnership.

19 "Eligible employee." As defined in 29 U.S.C. § 2611(2)
20 (relating to definitions).

21 Section 3. Eligibility.

22 (a) General rule.--An employer shall provide the same leave
23 to an eligible employee to which the eligible employee is
24 entitled under 29 U.S.C. Ch. 28 (relating to family and medical
25 leave) with respect to a spouse to care for a domestic partner.

26 (b) Protections.--An eligible employee who takes family and
27 medical leave under subsection (a) is entitled to the same
28 protections and rights that an eligible employee is entitled to
29 under 29 U.S.C. Ch. 28.

30 (c) Amount of leave.--The amount of family and medical leave

1 taken by an eligible employee under subsection (a) shall not
2 exceed 12 weeks during a 12-month period.

3 (d) Applicability.--This act shall apply to employers in
4 this Commonwealth that are subject to 29 U.S.C. Ch. 28.

5 Section 4. Effective date.

6 This act shall take effect immediately.