

Former Art. 64A, § 38A(e)(1)(iii), which defined “[n]onresident”, is deleted as unnecessary. The substance of that definition is incorporated in this revision, but the term itself is not used.

Former Art. 64A, § 38A(e)(1)(iv), which defined “State”, is deleted as unnecessary in light of the same definition in § 1-101 of this article.

## TITLE 7. LEAVE TIME AND HOLIDAYS.

### SUBTITLE 1. GENERAL PROVISIONS.

#### 7-101. REGULATIONS.

##### (A) SCOPE OF SECTION.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS SECTION APPLIES TO:

(I) ALL EMPLOYEES, INCLUDING APPOINTED OFFICIALS AND CLASSIFIED, UNCLASSIFIED, FULL-TIME, PART-TIME, PERMANENT, TEMPORARY, AND CONTRACTUAL EMPLOYEES, OF ALL UNITS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT; AND

(II) ALL CLASSIFIED SERVICE EMPLOYEES OF THE DISTRICT COURT OF MARYLAND.

(2) EXCEPT AS OTHERWISE PROVIDED BY LAW, THIS SECTION APPLIES TO ALL EMPLOYEES OF ANY STATE INSTITUTION OF HIGHER EDUCATION, INCLUDING THE UNIVERSITY OF MARYLAND SYSTEM, BUT DOES NOT APPLY TO ANY OTHER UNIT WITH AN INDEPENDENT PERSONNEL SYSTEM.

##### (B) REGULATIONS.

SUBJECT TO THE REQUIREMENTS OF THIS TITLE, THE SECRETARY SHALL ADOPT REGULATIONS GOVERNING ALL ASPECTS OF ANNUAL LEAVE, PERSONAL LEAVE, SICK LEAVE, COMPENSATORY LEAVE, AND THE KEEPING OF TIME RECORDS FOR ALL EMPLOYEES SUBJECT TO THIS SECTION.

REVISOR'S NOTE: This section is new language substituted for former Art. 64A, § 37A(a), except as that section authorized regulations governing part-time employees. This substitution clarifies the scope of the regulations and reflects long-standing Departmental understanding and administrative practice. See 77 Op. Att'y Gen. \_\_\_\_ (1992) [Opinion No. 92-016 (May 20, 1992)].

Although this revision clarifies the scope of the Secretary's rulemaking authority, it is not intended to confer any leave rights on employees not otherwise granted to them by law.

In subsection (a)(2) of this section, the phrase “[e]xcept as otherwise provided by law” is added to reflect that St. Mary's College of Maryland has express rulemaking authority over leave. See ED § 14-208.