

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any member of the organized militia subject to this Act who is ordered to active duty with the consent of the Governor on or after September 11, 2001.~~

~~Article — State Personnel and Pensions~~

~~9-603.~~

~~(c) The Secretary may grant leave from the State Employees' Leave Bank to an employee who:~~

~~(1) (i) has exhausted all forms of annual, personal, sick, and compensatory leave because of a serious and prolonged medical condition;~~

~~(ii) provides a certificate of illness or disability; and~~

~~(iii) 1. is a member of the State Employees' Leave Bank; or~~

~~2. is granted an exemption by the Secretary from the membership requirement for good cause; or~~

~~(2) is eligible to receive leave under § 9-608 of this subtitle.~~

~~9-608.~~

~~(a) This section applies to an employee, except a temporary employee, in the State Personnel Management System or an independent personnel system who:~~

~~(1) is A MEMBER OF THE MARYLAND NATIONAL GUARD AND HAS BEEN ordered into active military service on or after September 11, 2001;~~

~~(2) has exhausted all paid leave; and~~

~~(3) is on leave without pay.~~

~~(b) (1) [An employee] A MEMBER OF THE MARYLAND NATIONAL GUARD subject to this section who has been ordered into active military service before July 1, 2002 may receive leave from the Leave Bank beginning on the later of the day the [employee] MEMBER began leave without pay or January 1, 2002.~~

~~(2) [An employee] A MEMBER OF THE MARYLAND NATIONAL GUARD subject to this section who has been ordered into active military service on or after July 1, 2002 may receive leave from the Leave Bank beginning on the day the [employee] MEMBER begins leave without pay if, before being ordered into active military service, the [employee] MEMBER voluntarily donates at least 8 hours of annual or personal leave to the Leave Bank in accordance with this subtitle.~~

~~(c) [An employee] A MEMBER OF THE MARYLAND NATIONAL GUARD subject to this section may receive only annual or personal leave that is:~~

~~(1) placed in the Leave Bank as a result of forfeiture under § 9-307 or § 9-403 of this title; AND~~