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State Family Leave Laws - Child

Note: Under the federal Family and Medical Leave Act, employees may take leave to care for a legal spouse or a child, including a child with whom the employee acts *in loco parentis*.

No updates required since December 3, 2019

Alabama

- State lacks leave law.

Alaska

- State lacks leave law.

Arizona

- State lacks leave law.

Arkansas

- State lacks leave law.

California

- **Paid leave** permitted to care for biological, adoptive, or foster child, stepson or stepdaughter, legal ward, child of a domestic partner, grandchild, or person to whom the employee stands *in loco parentis*. [Paid Family Leave](#).

Colorado

- Leave permitted to care for a child, regardless of age. [Family Care Act](#) (2013).

Connecticut

- **Paid leave** permitted to care for biological, adopted, or foster child stepchild, legal ward, or child of a person standing *in loco parentis*. [Sec. 31-51kk. Family and medical leave](#), and [S.B. 1](#) (2019).

Delaware

- State lacks leave law.



District of Columbia

- Leave permitted to care for a child who lives with the employee and for whom the employee assumes and discharges parental responsibility. [4-6 District of Columbia Family and Medical Leave Act.](#)
- **Paid leave** to care for a child who lives with the employee and for whom the employee assumes and discharges parental responsibility to begin on July 1, 2020.

Florida

- State lacks leave law.

Georgia

- State lacks leave law.

Hawaii

- Leave permitted to care for biological, adopted, or foster child, stepchild, or legal ward of an employee. [Hawai'i Family Leave Act.](#)

Idaho

- State lacks leave law.

Illinois

- State lacks leave law.

Indiana

- State lacks leave law.

Iowa

- State lacks leave law.

Kansas

- State lacks leave law.

Kentucky

- Leave permitted to care for a newly adoptive child under the age of seven. [Sec. 337.015 \(1982\).](#)

Louisiana

- State lacks leave law.



Maine

- Leave permitted to care for or domestic partner's child or the placement of a child for the purposes of adoption with an employee or domestic partner. [Maine Law 26.7.6-A.](#)

Maryland

- Leave permitted for birth or adoption of a child; [Maryland Parental Leave Act](#) (2014).

Massachusetts

- **Paid leave** permitted to care for “a biological, adopted or foster child, a stepchild or legal ward, a child to whom the covered individual stands in loco parentis, or a person to whom the covered individual stood in loco parentis when the person was a minor child.” [MA H4640 \(2018\).](#)
- Formerly, unpaid leave permitted for the birth or adoption of a child; [Maternity Leave Act / Parental Leave Act.](#)

Michigan

- State lacks leave law.

Minnesota

- Leave permitted to care for biological or adoptive child in conjunction with birth or adoption. [Pregnancy and Parental Leave Act.](#)

Mississippi

- State lacks leave law.

Missouri

- State lacks leave law.

Montana

- State lacks leave law.

Nebraska

- State lacks leave law.

Nevada

- State lacks leave law.

New Hampshire

- State lacks leave law.



New Jersey

- **Paid leave** (family leave insurance) permitted for biological, adoptive, or foster child, stepchild or legal ward, child of a domestic partner (no registration required), child of a civil union partner, and any other person that the worker shows to have a close association with the worker which is the equivalent of a family relationship.
- See [NJ Rev Stat § 43:21-27](#) and [A.3975](#) (2019).

New Mexico

- State lacks leave law.

New York

- **Paid leave** permitted for “biological, adopted or foster child, a step-child, a legal ward, or a child of a person who stands in parental relationship to the child.” [S3004-A](#) (2016; effective 2018).

North Carolina

- State lacks leave law.

North Dakota

- State lacks leave law.

Ohio

- State lacks leave law.

Oklahoma

- State lacks leave law.

Oregon

- **Paid leave** permitted for biological, adopted, foster or stepchild, the child of an employee’s same-gender domestic partner or a child with whom the employee is or was in a relationship of *in loco parentis*. See [HB 2005](#) (2019).

Pennsylvania

- State lacks leave law.



Rhode Island

- Leave permitted for “birth of a child of an employee” or placement of a child for adoption (parental leave). [Parental and Family Medical Leave Act](#).
- **Paid leave** (temporary disability insurance) permitted for “newborn child or child newly placed for adoption or foster care with employee or domestic partner”; to care for a child, spouse or domestic partner; [R.I. Gen. Laws § 28-41- 35](#).

South Carolina

- State lacks leave law.

South Dakota

- State lacks leave law.

Tennessee

- Leave permitted for “adoption, pregnancy, childbirth, and nursing an infant.” [Maternity Leave, 4-21-408](#).

Texas

- State lacks leave law.

Utah

- State lacks leave law.

Vermont

- Leave permitted for “birth of employee’s child” or child placed with employee for the purpose of adoption (parental leave); “child, stepchild or ward of the employee who lives with the employee, or foster child” (family leave); [21 V.S.A. Sec. 472](#).

Virginia

- State lacks leave law.

Washington

- **Paid leave** permitted for “biological, adopted, or foster child, a stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status.”; [Family Leave Act \(2017\)](#).

West Virginia

- State lacks leave law.



Wisconsin

- Leave permitted for “natural, adopted, or foster child, a stepchild, or a legal ward”; [Family and Medical Leave Act 103.10](#).

Wyoming

- State lacks leave law.

U.S. Territories

The federal Family and Medical Leave Act (FMLA) applies to employers and employees in the five territories. Several territories have their own family or medical leave laws that cover more employees, offer more time, or include paid time off.

Guam

- [Guam Family and Medical Leave Act](#) (2016) applies to employers with fewer employees than federal law and recognizes *in loco parentis* for children but requires legal connection for spouse.

Puerto Rico

- [Act No. 3](#) (1942) provides **paid maternity leave** for a pregnant employee for the birth of a child. Updated in 2000 to provide paid maternity leave for adopting mothers of pre-school minors or minors having five years of age or less who are not enrolled in school.
 - [Law No. 251](#) (2016) allows employees to use accrued paid sick days to care for a legally connected family member.