State Family Leave Laws – Spouse and Partner

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 February 11, 2021

Alabama
- State lacks leave law.

Alaska
- State lacks leave law.

Arizona
- State lacks leave law.

Arkansas
- State lacks leave law.

California
- Law grants workers leave to care for a partner, but only if couple is in a legally recognized relationship.

Colorado
- Law grants workers leave to care for a partner, even if not in a legally recognized relationship.
  - See Family Care Act (2013): “…if the person (a) is related to the employee by blood, adoption, legal custody, marriage, or civil union; or (b) resides with and is in a committed relationship with the employee.”
- Paid leave enacted through statewide ballot initiative Proposition 118 (2020). Benefits will become available January 1, 2024.

Connecticut
- Law grants workers leave to care for a partner, even if not in a legally recognized relationship.
  - Family member defined as “a spouse, sibling, son or daughter, grandparent, grandchild or parent, or an individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships.”
- Paid leave created by S.B. 1 (2019).

Delaware
- State lacks leave law.
District of Columbia
- Law grants workers leave to care for a partner, even if not in a legally recognized relationship.
  - “‘Family member’ means ... (c) a person to whom an eligible individual is related by domestic partnership... or marriage,” with domestic partnership defined to include a person with whom the employee shares or has shared, within the last year, a mutual residence, and with whom the employee maintains a committed relationship.
- **Paid leave** created by B21-415 (2017, effective 2020). Learn more at DC’s official paid leave site.

Florida
- State lacks leave law.

Georgia
- State lacks leave law.

Hawai`i
- Law grants workers leave to care for a partner, but only if in a legally recognized relationship.
  - See 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
- State lacks leave law.

Louisiana
- State lacks leave law.

Maine
- Law grants workers leave to care for a partner, even if not in a legally recognized relationship.
  - See Maine Law 26.7.6-A.
Maryland
- State lacks leave law.

Massachusetts
- Law grants workers leave to care for a partner, even if not in a legally recognized relationship.
  - Domestic partner defined broadly as “a person not less than 18 years of age who: (i) is dependent upon the covered individual for support as shown by either unilateral dependence or mutual interdependence that is evidenced by a nexus of factors including, but not limited to: (A) common ownership of real or personal property; (B) common householding; (C) children in common; (D) signs of intent to marry; (E) shared budgeting; and (F) the length of the personal relationship with the covered individual; or (ii) has registered as the domestic partner of the covered individual with any registry of domestic partnerships maintained by the employer of either party, or in any state, county, city, town or village in the United States.”
  - **Paid leave** permitted to care for “the spouse, domestic partner, child, parent or parent of a spouse or domestic partner of the covered individual; a person who stood in loco parentis to the covered individual when the covered individual was a minor child; or a grandchild, grandparent or sibling of the covered individual.” [MA H4640 (2018)].

Michigan
- State lacks leave law.

Minnesota
- Law grants workers leave to care for a partner, but only if couple is in a legally recognized relationship. See [MN § 181.9413](#) or [SF 840 (2013)](#).

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
- Law grants workers leave to care for a partner, even if not in a legally recognized relationship.
  - Originally required legally recognized relationship.
  - A.3975 (2019) expanded both paid leave benefits and definition of family member to include “any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship.”

New Mexico
- State lacks leave law.

New York
- Law grants workers leave to care for a partner, even if not in a legally recognized relationship.
- **Paid leave** permitted for spouse or domestic partner (does not require registration). 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 spouse, domestic partner, parent, grandparent, child, grandchild, or “any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.” See HB 2005 (2019).
- Law grants workers leave to care for a partner, even if not in a legally recognized relationship.

Pennsylvania
- State lacks leave law.

Rhode Island
- Law grants workers leave to care for a partner, but only if couple is in a legally recognized relationship. See Parental and Family Medical Leave Act.
- **Paid leave** (temporary disability insurance) to care for a child, spouse or registered domestic partner. R.I. Gen. Laws § 28-41-35.
South Carolina
- State lacks leave law.

South Dakota
- State lacks leave law.

Tennessee
- State lacks leave law.

Texas
- State lacks leave law.

Utah
- State lacks leave law.

Vermont
- Law grants workers leave to care for a partner, but only if couple is in a legally recognized relationship. See 21 V.S.A. Sec. 472.

Virginia
- State lacks leave law.

Washington
- Law grants workers leave to care for a partner, but only if couple is in a legally recognized relationship. See Family Leave Act.
- Paid leave to begin on January 1, 2020.

West Virginia
- State lacks leave law.

Wisconsin
- Law grants workers leave to care for a partner, even if not in a legally recognized relationship. See Family and Medical Leave Act 103.10.
- Unpaid family and medical leave established in 1987 (SB 235) with narrow definitions of both child and spouse. State began recognizing domestic partnerships in 2009 (see AB 75 § 771-774) with no legal registration of partnership required.

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.

American Samoa
- State lacks leave law.

Commonwealth of the Northern Mariana Islands
- State lacks leave law.

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, though this is not the same as a distinct family leave law (which creates leave in addition to a worker’s existing sick or vacation days).

U.S. Virgin Islands
- State lacks leave law.