



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 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** (temporary disability insurance) to care for a spouse or registered domestic partner. [Paid Family Leave](#).

Colorado

- Leave permitted to care for spouse or partner in a civil union or who residents with and is in a committed relationship with the employee. [Family Care Act](#) (2013).

Connecticut

- **Paid leave** permitted to care for spouse or 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.” See [S.B. 1](#) (2019).

Delaware

- State lacks leave law.



District of Columbia

- Leave permitted to care for a person related by blood, legal custody, or marriage; 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. [4-6 District of Columbia Family and Medical Leave Act](#).
- **Paid leave** to care for spouse or registered domestic partner to begin on July 1, 2020.

Florida

- State lacks leave law.

Georgia

- State lacks leave law.

Hawaii

- Leave permitted to care for spouse or a registered reciprocal beneficiary. [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

- Leave permitted to care for domestic partner (registration not required) or spouse. [Maine Law 26.7.6-A.](#)

Maryland

- State lacks leave law.

Massachusetts

- **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 \(2018\).](#)
- 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.”

Michigan

- State lacks leave law.

Minnesota

- Leave permitted to care for spouse. See [MN § 181.9413 \(SF 840, 2013\).](#)

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

- **Paid leave** (family leave insurance) for spouse, registered domestic partner, or civil union partner, or any other person related to the worker by blood, 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](#). Paid leave added by [A.3975](#) (2019).

New Mexico

- State lacks leave law.

New York

- **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).

Pennsylvania

- State lacks leave law.



Rhode Island

- Leave permitted for spouse. [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

- Leave permitted for legally recognized spouse (family leave). [21 V.S.A. Sec. 472.](#)

Virginia

- State lacks leave law.

Washington

- Leave permitted for legally recognized spouse or registered domestic partner. [Family Leave Act.](#)
- **Paid leave** for spouse or registered domestic partner to begin on January 1, 2020.

West Virginia

- State lacks leave law.

Wisconsin

- Leave permitted for spouse or domestic partner (no legal registration required). [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.

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.