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## Relationship & Parental Recognition: State Family Leave Laws – Spouse and Partner

No updates required since July 17, 2023

Note: Under the federal Family and Medical Leave Act, employees may take leave to care for a legally recognized spouse or a child, including a child with whom the employee acts *in loco parentis*. Note also that under state law, definitions of employer vary, which may affect which workers are eligible for leave.

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### 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, even if not in a legally recognized relationship.
  - See [AB 1041](#) (2022).
- **Paid leave** (temporary disability insurance) available, [enacted 2002 and effective 2004](#). Benefits expanded by [AB 908](#) (2016).
- Formerly, law granted workers leave only if couple was in a legally recognized relationship. Expanded by [AB 1041](#) (2022).

### 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, effective 2023/2024 depending on the benefit).



#### 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 [SB1](#) (2019, effective 2021/2022 depending on the benefit).

#### Delaware

- Law grants workers leave to care for a partner, but only if in a legally recognized relationship.
  - [SB1](#) (2022) defines spouse using the [federal FMLA](#) definition, which refers only to “a husband or wife, as the case may be.”
- **Paid leave** created by [SB1](#) (2022, effective 2023/2025 depending on the benefit).

#### 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

- Law grants workers leave to care for a partner, even if not in a legally recognized relationship.
  - See [SB208](#) (2023, effective 2024), which grants workers leave for any reason, making it unnecessary to even define which relationships qualify for a worker to take leave. Law further says employees are not required to give a reason for the leave, or to provide documentation to support the leave.
- **Paid leave** created by [SB208](#) (2023, effective 2024)

#### 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](#).
- **Paid leave** enacted 2023, effective 2026. See [LD 258](#) (2023; see [here](#), starting p319, including broad definitions of “family member” on p321).

#### Maryland

- Law grants workers leave to care for a partner, but only if couple is in a legally recognized relationship.
- **Paid leave** enacted 2022, effective 2023/2025 depending on the benefit.
- See [SB275](#) (2022)

#### 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.” See [H4640](#) (2018, effective 2019/2021 depending on the benefit).

#### Michigan

- State lacks leave law.



#### Minnesota

- Law grants workers leave to care for a partner, even if not in a legally recognized relationship.
  - See [HF 2](#) (2023), including broad definition of “family member” on [p15-16](#).
- **Paid leave** enacted 2023, effective 2026. See [HF 2](#) (2023).
- Formerly, law granted workers leave to care for a partner, but only if couple was 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

- Law grants workers leave to care for a partner, even if not in a legally recognized relationship.
  - See [SB312](#) (2019, effective 2020), which grants workers leave for any reason, making it unnecessary to even define which relationships qualify for a worker to take leave. Law further says employees are not required to give a reason for the leave.
- **Paid leave** created by [SB312](#) (2019, effective 2020)

#### 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.”
- **Paid leave** (family leave insurance) first [enacted 2008, effective 2009](#); expanded by [A.3975](#) (2019).

#### 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). See [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

- Law grants workers leave to care for a partner, even if not in a legally recognized relationship
- **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, effective 2023).

#### 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](#). Enacted 2013, effective 2014.

#### 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** enacted 2017, 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

*Note: 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

- Territory lacks leave law.

#### Commonwealth of the Northern Mariana Islands

- Territory lacks leave law.



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#### 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

- Territory lacks leave law.