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**By: Chairman, Economic Matters Committee (Departmental - Labor, Licensing and Regulation)**

Introduced and read first time: February 9, 1996

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 1996

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CHAPTER \_\_\_\_

1 AN ACT concerning

**2 Unemployment Insurance - Dependents' Allowances and Earnings Disregard**

3 FOR the purpose of increasing the amount of earnings that are not deductible from  
4 unemployment insurance benefits; ~~deleting the provision providing for the payment~~  
5 ~~of dependents' allowances; decreasing the maximum number of dependents for~~  
6 which a claimant may be paid under a certain dependents' allowance; providing for  
7 the ~~effective date of the amendments~~ application of certain provisions of this Act;  
8 and generally relating to the payment of unemployment insurance benefits.

9 BY repealing and reenacting, with amendments,  
10 Article - Labor and Employment  
11 Section 8-803(d) and 8-804  
12 Annotated Code of Maryland  
13 (1991 Volume and 1995 Supplement)

14 ~~BY repealing~~  
15 ~~Article - Labor and Employment~~  
16 ~~Section 8-804~~  
17 ~~Annotated Code of Maryland~~  
18 ~~(1991 Volume and 1995 Supplement)~~

19 BY repealing and reenacting, with amendments,  
20 Article - Labor and Employment  
21 Section 8-1604(c)  
22 Annotated Code of Maryland  
23 (1991 Volume and 1995 Supplement)

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1 (As enacted by Chapter 332 of the Acts of the General Assembly of 1995)

2 ~~BY renumbering~~

3 ~~Article - Labor and Employment~~

4 ~~Section 8-805 through 8-809, respectively~~

5 ~~to be Section 8-804 through 8-808, respectively~~

6 ~~Annotated Code of Maryland~~

7 ~~(1991 Volume and 1995 Supplement)~~

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article - Labor and Employment**

11 8-803.

12 (d) (1) Except as provided in § 8-1207 of this subtitle for the worksharing  
13 program ~~AND § 8-804 OF THIS SUBTITLE~~ § 8-1604 OF THIS TITLE FOR THE  
14 SELF-EMPLOYMENT ASSISTANCE PROGRAM, an eligible claimant shall be paid a weekly  
15 benefit amount that is computed by:

16 (i) determining the claimant's weekly benefit amount under this  
17 section; AND

18 (ii) ~~adding~~ any allowance for a dependent to which the claimant is  
19 entitled under § 8-804 of this subtitle; and

20 (iii) ~~subtracting~~ any wages exceeding ~~\$35~~ \$70 payable to the claimant  
21 for the week.

22 (2) In computing benefits under this subsection, a fraction of a dollar shall  
23 be rounded to the next lower dollar.

24 ~~§8-804.~~

25 (a) (1) Subject to subsection (b) of this section, in addition to the weekly benefit  
26 amount in the schedule of benefits, a claimant shall be paid an allowance of \$8 for each  
27 child, adopted child, or stepchild of the claimant who, on the 1st day of the benefit year,  
28 is:

29 (i) wholly or partly supported by the claimant; and

30 (ii) under 16 years of age.

31 (2) A claimant shall submit to the Secretary the social security number or  
32 copy of the birth certificate of each dependent for whom the claimant is to be paid an  
33 allowance.

34 (b) (1) An allowance under this section is not payable:

35 (i) for more than ~~5~~ 3 dependents of the claimant;

36 (ii) for longer than the number of weeks of benefits allowable to the  
37 claimant for total unemployment; or

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1 (iii) for any week in which an unemployment benefit is notpayable to  
2 the claimant.

3 (2) Benefits and the allowance under this section in any 1 weekmay not  
4 exceed the highest weekly benefit amount in the schedule of benefits.

5 (c) (1) The number of a claimant's dependents shall be determined asof the 1st  
6 day of the benefit year and shall be fixed for the duration of the benefit year.

7 (2) After an individual has been determined to be a dependent of a  
8 claimant, the individual may not be considered to be a dependent of anyother claimant  
9 whose benefit year starts within 1 year after the determination.

10 (d) In the computation of a contribution rate under Part II of Subtitle 6 of this  
11 title, an allowance for a dependent shall be considered a benefit.

12 (e) Notwithstanding subsection (d) of this section, an allowance fora dependent  
13 may not be deducted from a claimant's benefit account.}

14 8-1604.

15 (c) A self-employment assistance allowance is payable on the same terms and  
16 subject to the same conditions as regular unemployment insurance benefits except that:

17 (1) the requirements of § 8-903 of this title relating to availability for work  
18 and actively seeking work are not applicable to the individual;

19 (2) the requirements of § 8-1005 of this title relating to refusal to accept  
20 referrals or offers of suitable work are not applicable to the individual;

21 (3) the provisions of § 8-803(d) of this title concerning subtracting any  
22 wages in excess of [\$35] ~~\$60~~ \$70 will not apply to the individual;

23 (4) an individual will be considered unemployed for the purposes of § 8-801  
24 of this title; and

25 (5) an individual who fails to participate in self-employment activities or  
26 who fails to actively engage on a full-time basis in activities, which may include training,  
27 related to establishing a business and becoming self-employed is deniedfor the week in  
28 which the failure occurs.

29 ~~SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 8-805 through~~  
30 ~~8-809, respectively of Article—Labor and Employment of the Annotated Code of~~  
31 ~~Maryland be renumbered to be Section(s) 8-804 through 8-808, respectively.~~

32 SECTION 3. 2. AND BE IT FURTHER ENACTED, That the amendment to  
33 Section 8-803(d) shall be effective for unemployment insurance benefit weekly claims  
34 which are filed for weeks ending on or after October 5, 1996.

35 SECTION 4. 3. AND BE IT FURTHER ENACTED, That the amendment to  
36 Section 8-804 shall be effective for individuals filing new claims establishing a new benefit  
37 year on or after October 6, 1996.

HOUSE BILL 1177

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1           SECTION ~~5~~. 4. AND BE IT FURTHER ENACTED, That this Act shall take  
2 effect October 1, 1996.