

# SENATE BILL 553

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3lr2189

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By: **Senator Getty**

Introduced and read first time: February 1, 2013

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Tipped Employees – Payments or Deduction from Wages – Prohibition**

3 FOR the purpose of prohibiting certain employers from requiring a tipped employee to  
4 reimburse or pay the employer certain amounts under certain circumstances;  
5 prohibiting certain employers from deducting certain amounts from a tipped  
6 employee under certain circumstances; defining a certain term; and generally  
7 relating to tipped employees and unpaid customer charges.

8 BY adding to

9 Article – Labor and Employment

10 Section 3–713

11 Annotated Code of Maryland

12 (2008 Replacement Volume and 2012 Supplement)

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

15 **Article – Labor and Employment**

16 **3–713.**

17 **(A) IN THIS SECTION, “TIPPED EMPLOYEE” MEANS AN EMPLOYEE WHO**  
18 **IS ENGAGED IN AN OCCUPATION IN WHICH THE EMPLOYEE CUSTOMARILY AND**  
19 **REGULARLY RECEIVES MORE THAN \$30 EACH MONTH IN TIPS OR GRATUITIES.**

20 **(B) (1) AN EMPLOYER MAY NOT REQUIRE A TIPPED EMPLOYEE TO**  
21 **REIMBURSE THE EMPLOYER OR PAY TO THE EMPLOYER AN AMOUNT**  
22 **EQUIVALENT TO A CUSTOMER’S CHARGE FOR FOOD OR BEVERAGES IF THE**  
23 **CUSTOMER LEAVES THE EMPLOYER’S PLACE OF BUSINESS WITHOUT PAYING**  
24 **THE CHARGE FOR FOOD OR BEVERAGES.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(2) SUBJECT TO § 3-503 OF THIS TITLE, AN EMPLOYER MAY NOT**  
2 **MAKE A DEDUCTION FROM THE WAGE OF A TIPPED EMPLOYEE TO REIMBURSE**  
3 **THE EMPLOYER FOR AN AMOUNT EQUIVALENT TO A CUSTOMER'S CHARGE FOR**  
4 **FOOD OR BEVERAGES IF THE CUSTOMER LEAVES THE EMPLOYER'S PLACE OF**  
5 **BUSINESS WITHOUT PAYING THE CHARGE FOR FOOD OR BEVERAGES.**

6                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2013.