

HOUSE BILL 579

K3

4lr1303

By: **Delegates Kramer, Barkley, Fraser-Hidalgo, A. Miller, Simmons, and Valderrama**

Introduced and read first time: January 29, 2014

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 12, 2014

CHAPTER _____

1 AN ACT concerning

2 **Commissioner of Labor and Industry – Authority – Enforcement of Local**
3 **Minimum Wage Laws**

4 FOR the purpose of requiring the Commissioner of Labor and Industry to enforce a
5 local minimum wage law; specifying that the Commissioner has the same
6 powers and duties in enforcing a local minimum wage law as the Commissioner
7 has to enforce certain provisions of State law; authorizing the Commissioner, on
8 the Commissioner's own initiative or on receipt of a written complaint, to
9 investigate whether a local minimum wage law has been violated; authorizing
10 the Commissioner to delegate any power or duty of the Commissioner under a
11 certain provision of this Act; and generally relating to the authority of the
12 Commissioner of Labor and Industry to enforce local minimum wage laws.

13 BY repealing and reenacting, with amendments,
14 Article – Labor and Employment
15 Section 3–102 and 3–104
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2013 Supplement)

18 BY adding to
19 Article – Labor and Employment
20 Section 3–103(i)
21 Annotated Code of Maryland
22 (2008 Replacement Volume and 2013 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Labor and Employment**

4 3–102.

5 (a) In addition to any duties set forth elsewhere, the Commissioner shall:

6 (1) enforce Subtitle 2 of this title;

7 (2) carry out Subtitle 3 of this title;

8 (3) enforce Subtitle 4 of this title; [and]

9 (4) enforce Subtitle 9 of this title; AND

10 **(5) ENFORCE A LOCAL MINIMUM WAGE LAW.**

11 (b) If the Governor declares an emergency or disaster, then, with the consent
12 of the Governor, the Commissioner may suspend enforcement of any provision of
13 Subtitle 2 of this title until the emergency or disaster ends.

14 **(C) THE COMMISSIONER HAS THE SAME POWERS AND DUTIES IN**
15 **ENFORCING A LOCAL MINIMUM WAGE LAW AS THE COMMISSIONER HAS IN**
16 **ENFORCING SUBTITLE 4 OF THIS TITLE.**

17 3–103.

18 **(I) THE COMMISSIONER, ON THE COMMISSIONER’S OWN INITIATIVE OR**
19 **ON RECEIPT OF A WRITTEN COMPLAINT, MAY CONDUCT AN INVESTIGATION OF**
20 **WHETHER A LOCAL MINIMUM WAGE LAW HAS BEEN VIOLATED.**

21 3–104.

22 The Commissioner may delegate any power or duty of the Commissioner under
23 **§ 3–102(C) OF THIS SUBTITLE AND** Subtitles 2, 4, 5, and 9 of this title.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 June 1, 2014.