SENATE BILL 166

K3, P4 4lr1317

By: **Senator Colburn**
Introduced and read first time: January 13, 2014
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Minimum Wage – Establishment by Counties**

3 FOR the purpose of authorizing a county to establish a minimum wage rate for
4   employees working in the county; altering the minimum wage that an employer
5   is required to pay employees; and generally relating to the establishment of a
6   minimum wage by counties.

7 BY repealing and reenacting, with amendments,
8   Article – Labor and Employment
9   Section 3–413
10   Annotated Code of Maryland
11   (2008 Replacement Volume and 2013 Supplement)

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

Article – Labor and Employment

15 3–413.

16   (a)   In this section, "employer" includes a governmental unit.

17   **(B)   A COUNTY MAY ESTABLISH A MINIMUM WAGE FOR EMPLOYEES**
18 **WORKING IN THE COUNTY.**

19   **[**(b)**] (C)**   Except as provided in § 3–414 of this subtitle, each employer shall
20 pay:

21   (1)   to each employee who is subject to both the federal Act and this
22 subtitle, at least**:**

1   **(I)**   the greater of:

2   **[**(i)**]**   **1.**   the minimum wage for that employee under the
3 federal Act; or

4   **[**(ii)**]**   **2.**   **[**a wage that equals a rate of $6.15 per hour**]** **THE**
5 **MINIMUM WAGE ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION BY**
6 **THE COUNTY IN WHICH THE EMPLOYEE IS WORKING; OR**

7   **(II)**   **IF THE COUNTY IN WHICH AN EMPLOYEE IS WORKING**
8 **HAS NOT ESTABLISHED A MINIMUM WAGE UNDER SUBSECTION (B) OF THIS**
9 **SECTION, THE MINIMUM WAGE FOR THAT EMPLOYEE UNDER THE FEDERAL ACT**;
10 and

11   (2)   each other employee who is subject to this subtitle, at least:

12   (i)   the greater of:

13   1.   the highest minimum wage under the federal Act; or

14   2.   **[**a wage that equals a rate of $6.15 per hour**]** **THE**
15 **MINIMUM WAGE ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION BY**
16 **THE COUNTY IN WHICH THE EMPLOYEE IS WORKING;**

17   **(II)**   **IF THE COUNTY IN WHICH AN EMPLOYEE IS WORKING**
18 **HAS NOT ESTABLISHED A MINIMUM WAGE UNDER SUBSECTION (B) OF THIS**
19 **SECTION, THE HIGHEST MINIMUM WAGE UNDER THE FEDERAL ACT**; or

20   **[**(ii)**]** **(III)**   a training wage under regulations that the
21 Commissioner adopts that include the conditions and limitations authorized under the
22 federal Fair Labor Standards Amendments of 1989.

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