

# HOUSE BILL 976

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HB 293/14 – ECM

9lr1588

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By: **Delegates Parrott and Arikan**  
Introduced and read first time: February 8, 2019  
Assigned to: Economic Matters

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## 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 employees  
4 working in the county; altering the minimum wage that an employer is required to  
5 pay employees; altering the minimum wage an employer is authorized to pay  
6 employees under a certain age under certain circumstances; and generally relating  
7 to the establishment of a minimum wage by counties.

8 BY repealing and reenacting, with amendments,  
9 Article – Labor and Employment  
10 Section 3–413  
11 Annotated Code of Maryland  
12 (2016 Replacement Volume and 2018 Supplement)

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

15 **Article – Labor and Employment**

16 3–413.

17 (a) In this section, “employer” includes a governmental unit.

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

20 (C) Except as provided in subsection [(d)] (E) of this section and § 3–414 of this  
21 subtitle, each employer shall pay:

22 (1) to each employee who is subject to both the federal Act and this subtitle,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 at least:

2 (I) the greater of:

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

5 [(ii)] the State minimum wage rate set under subsection (c) of this  
6 section; and]

7 2. THE MINIMUM WAGE ESTABLISHED UNDER  
8 SUBSECTION (B) OF THIS SECTION BY THE COUNTY IN WHICH THE EMPLOYEE IS  
9 WORKING; OR

10 (II) IF THE COUNTY IN WHICH AN EMPLOYEE IS WORKING HAS  
11 NOT ESTABLISHED A MINIMUM WAGE UNDER SUBSECTION (B) OF THIS SECTION, THE  
12 MINIMUM WAGE FOR THAT EMPLOYEE UNDER THE FEDERAL ACT; AND

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

14 (i) the greater of:

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

16 [2. the State minimum wage rate set under subsection (c) of  
17 this section; or]

18 2. THE MINIMUM WAGE ESTABLISHED UNDER  
19 SUBSECTION (B) OF THIS SECTION BY THE COUNTY IN WHICH THE EMPLOYEE IS  
20 WORKING;

21 (II) IF THE COUNTY IN WHICH AN EMPLOYEE IS WORKING HAS  
22 NOT ESTABLISHED A MINIMUM WAGE UNDER SUBSECTION (B) OF THIS SECTION, THE  
23 HIGHEST MINIMUM WAGE UNDER THE FEDERAL ACT; OR

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

27 [(c)] (D) The State minimum wage rate is[:

28 (1) for the 6-month period beginning January 1, 2015, \$8.00 per hour;

29 (2) for the 12-month period beginning July 1, 2015, \$8.25 per hour;

1 (3) for the 12-month period beginning July 1, 2016, \$8.75 per hour;

2 (4) for the 12-month period beginning July 1, 2017, \$9.25 per hour; and

3 (5) beginning July 1, 2018,] \$10.10 per hour.

4 **[(d)] (E) (1) (i)** Except as provided in paragraph (2) of this subsection and  
5 subject to subparagraph (ii) of this paragraph, an employer may pay an employee a wage  
6 that equals a rate of 85% of the **[State minimum wage established under this section]**  
7 **COUNTY MINIMUM WAGE ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION**  
8 **OR THE FULL STATE MINIMUM WAGE ESTABLISHED UNDER SUBSECTION (D) OF THIS**  
9 **SECTION, WHICHEVER IS LESS**, if the employee is under the age of 20 years.

10 (ii) An employer may pay to an employee the wage provided under  
11 subparagraph (i) of this paragraph only for the first 6 months that the employee is  
12 employed.

13 (2) (i) This paragraph applies only to an employer that is an  
14 amusement or a recreational establishment, including a swimming pool, if the employer:

15 1. operates for no more than 7 months in a calendar year; or

16 2. for any 6 months during the preceding calendar year, has  
17 average receipts that do not exceed one-third of the average receipts for the other 6 months.

18 (ii) An employer may pay an employee a wage that equals the  
19 greater of:

20 1. 85% of the State minimum wage established under this  
21 section; or

22 2. \$7.25.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2019.