

HB0073/394168/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 73  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**and Private Employers**” and substitute “**and Public Institutions of Higher Education**”; in line 3, after the first “of” insert “establishing the Office of Telework Assistance in the Department of Commerce; specifying the duties of the Office; establishing the Business Telework Assistance Grant Program in the Department of Commerce; providing for the purpose of the Program; providing that a grant awarded under the Program may be used to purchase certain equipment or services; establishing that a business must develop a certain telework policy to qualify for a grant under the Program; requiring a certain business to submit a certain letter to the Department of Commerce that includes certain items within a certain period of time; requiring the Department of Commerce to prioritize certain businesses and consider certain factors in awarding a grant under the Program; authorizing the Department of Commerce to require a certain grant recipient to return certain funds under certain circumstances; requiring the Governor to include in the annual budget bill a certain appropriation for the Program for each fiscal year; requiring the Secretary of Commerce to adopt certain regulations;”; in line 7, strike “requiring” and substitute “authorizing”; in line 8, strike “, to the extent practicable,”; in line 10, strike the first “and” and substitute a comma; in the same line, after “House” insert “, and the presidents of each public institution of higher education”; in line 11, after “guidelines;” insert “authorizing certain officials to designate positions for which an employee would be eligible to telework and to negotiate certain criteria for designated telework positions under certain circumstances; requiring certain officials to maximize the number of employees participating in a certain telework program;”; strike beginning with the comma in line 12 down through the comma in line 13; strike beginning with “encouraging” in line 18 down through “Assembly;” in line 20 and substitute “requiring the Office of Telework Assistance to report certain information to the General Assembly on or before a certain date;”; and after line 21, insert:

(Over)

“BY adding to

Article - Economic Development

Section 3–601 and 3–602 to be under the new subtitle “Subtitle 6. Office of  
Telework Assistance”; and 5–1701 and 5–1702 to be under the new subtitle  
“Subtitle 17. Business Telework Assistance Grant Program”

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 5, insert:

“Article – Economic Development

SUBTITLE 6. OFFICE OF TELEWORK ASSISTANCE.

3–601.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
INDICATED.

(B) “OFFICE” MEANS THE OFFICE OF TELEWORK ASSISTANCE.

(C) “TELEWORK” HAS THE MEANING STATED IN § 2–308 OF THE STATE  
PERSONNEL AND PENSIONS ARTICLE.

3–602.

(A) THERE IS AN OFFICE OF TELEWORK ASSISTANCE WITHIN THE  
DEPARTMENT.

**(B) THE OFFICE SHALL:**

**(1) ESTABLISH BEST PRACTICES FOR TELEWORK POLICIES;**

**(2) CONSULT WITH THE BUSINESS COMMUNITY AND OTHER GOVERNMENTAL AGENCIES, INCLUDING THE DEPARTMENT OF BUDGET AND MANAGEMENT AND THE DEPARTMENT OF INFORMATION TECHNOLOGY, AS THE OFFICE DETERMINES IS NECESSARY IN ESTABLISHING THE BEST PRACTICES;**

**(3) POST THE BEST PRACTICES ESTABLISHED BY THE OFFICE ON THE DEPARTMENT'S WEBSITE IN A PUBLICLY ACCESSIBLE LOCATION;**

**(4) ON OR BEFORE OCTOBER 1, 2021, AND EACH OCTOBER 1 THEREAFTER, ADOPT GUIDELINES ON THE BEST PRACTICES ESTABLISHED BY THE OFFICE UNDER THIS SUBTITLE; AND**

**(5) ASSIST PRIVATE SECTOR BUSINESS ENTITIES IN IMPLEMENTING TELEWORK POLICIES FOR THEIR EMPLOYEES.**

**SUBTITLE 17. BUSINESS TELEWORK ASSISTANCE GRANT PROGRAM.**

**5-1701.**

**IN THIS SUBTITLE, "PROGRAM" MEANS THE BUSINESS TELEWORK ASSISTANCE GRANT PROGRAM.**

**5-1702.**

(Over)

(A) THERE IS A BUSINESS TELEWORK ASSISTANCE GRANT PROGRAM IN THE DEPARTMENT.

(B) THE PURPOSE OF THE PROGRAM IS TO ASSIST AND SUPPORT BUSINESSES IN IMPLEMENTING TELEWORK POLICIES FOR THEIR EMPLOYEES.

(C) A GRANT AWARDED UNDER THE PROGRAM MAY BE USED TO PURCHASE HARDWARE, SOFTWARE, OR ANY OTHER TECHNICAL EQUIPMENT OR TECHNICAL SERVICES NECESSARY FOR A BUSINESS TO IMPLEMENT A TELEWORK POLICY.

(D) (1) TO QUALIFY FOR A GRANT UNDER THE PROGRAM, A BUSINESS MUST DEVELOP A TELEWORK POLICY THAT CONFORMS TO THE BEST PRACTICES ESTABLISHED BY THE OFFICE OF TELEWORK ASSISTANCE UNDER TITLE 3, SUBTITLE 6 OF THIS ARTICLE.

(2) WITHIN 1 YEAR AFTER RECEIVING A GRANT UNDER THE PROGRAM, A BUSINESS SHALL SUBMIT A LETTER TO THE DEPARTMENT THAT:

(i) DESCRIBES HOW THE GRANT FUNDING WAS USED;

(ii) INCLUDES THE TELEWORK POLICY THAT WAS IMPLEMENTED USING THE GRANT FUNDING; AND

(iii) INCLUDES ANY INVOICES RELATED TO THE IMPLEMENTATION OF THE TELEWORK POLICY.

(E) (1) IN AWARDING A GRANT, THE DEPARTMENT SHALL:

**(I) PRIORITIZE AWARDING GRANTS TO SMALL BUSINESSES;**

**AND**

**(II) CONSIDER:**

**1. THE NUMBER OF EMPLOYEES IN THE BUSINESS;**

**AND**

**2. THE ASSISTANCE NEEDED FOR THE BUSINESS TO IMPLEMENT A TELEWORK POLICY.**

**(2) THE DEPARTMENT MAY REQUIRE A GRANT RECIPIENT THAT FAILS TO FULFILL THE REQUIREMENTS OF THE GRANT TO RETURN ALL OR PART OF THE GRANT TO THE PROGRAM.**

**(F) FOR EACH FISCAL YEAR, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$1,000,000 FOR THE PROGRAM.**

**(G) THE SECRETARY SHALL ADOPT REGULATIONS NECESSARY TO CARRY OUT THIS SECTION.”;**

and in line 28, strike “SHALL, TO THE EXTENT PRACTICABLE,” and substitute “**, IN ITS DISCRETION, MAY**”.

On page 3, in line 10, strike “OR”; in line 12, after “JOINTLY” insert “**; OR**”

**(IV) FOR EACH PUBLIC INSTITUTION OF HIGHER EDUCATION, THE PRESIDENT OF THE INSTITUTION.**

**(3) “PUBLIC INSTITUTION OF HIGHER EDUCATION” MEANS:**

(Over)

**(I) A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION, AS  
DEFINED IN § 10–101 OF THE EDUCATION ARTICLE; AND**

**(II) A COMMUNITY COLLEGE**”;

in line 13, strike “**(3)**” and substitute “**(4)**”; in line 19, after “in” insert “:

**(I)**”;

in line 20, after “government;” insert “**AND**

**(II) EACH PUBLIC INSTITUTION OF HIGHER EDUCATION**”;

in line 21, after “(2)” insert “**(I)**”; in line 22, after “systems” insert “;**AND**

**(II) EACH PUBLIC INSTITUTION OF HIGHER EDUCATION**”;

and in lines 25 and 27, in each instance, after “GOVERNMENT” insert “**OR PUBLIC  
INSTITUTION OF HIGHER EDUCATION**”.

On page 4, in line 1, strike “The head of a unit in the Executive Branch of State government may” and substitute “**EACH APPROPRIATE OFFICIAL MAY:**

**(I)**”;

in line 2, after “telework” insert “;**AND**

**(II) BEGINNING FISCAL YEAR 2023, NEGOTIATE CRITERIA FOR DESIGNATED TELEWORK POSITIONS IF THE EMPLOYEES AFFECTED BY TELEWORK POLICIES ARE REPRESENTED BY AN EXCLUSIVE REPRESENTATIVE**;

in line 3, strike “A unit in the Executive Branch of State government” and substitute “**EACH APPROPRIATE OFFICIAL**”; strike beginning with the comma in line 7 down through the comma in line 8; in line 11, after “**(2)**” insert “**THE APPROPRIATE OFFICIAL FOR EACH UNIT IN THE EXECUTIVE BRANCH SHALL DEVELOP THE GUIDELINES UNDER PARAGRAPH (1) OF THIS SUBSECTION IN COORDINATION WITH THE DEPARTMENT OF INFORMATION TECHNOLOGY.**”

**(3)**;

in line 23, strike “**(3)**” and substitute “**(4)**”; in line 31, after “**ELIGIBLE**” insert “**AND PARTICIPATING**”; and in line 32, strike “**PARTICIPATING**”.

On page 5, strike beginning with the colon in line 1 down through “purpose” in line 8 and substitute “, on or before December 1, 2021, the Office of Telework Assistance shall report to the General Assembly, in accordance with § 2-1257 of the State Government Article, on the best practices established under Title 3, Subtitle 6 of the Economic Development Article as enacted by this Act”; and in line 10, strike “October” and substitute “July”.