

**Department of Legislative Services**  
Maryland General Assembly  
2024 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

Senate Bill 225

(Chair, Finance Committee)(By Request - Departmental -  
Labor)

Finance

Economic Matters

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**Occupational Safety and Health Advisory Board – Sunset Extension**

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This departmental bill extends the termination date for the Maryland Occupational Safety and Health (MOSH) Advisory Board within the Maryland Department of Labor (MDL) by 10 years to July 1, 2034, subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act (MPEA). **The bill takes effect June 1, 2024.**

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**Fiscal Summary**

**State Effect:** Special fund revenues and expenditures for the board are maintained through FY 2034.

**Local Effect:** None.

**Small Business Effect:** MDL has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services (DLS) concurs with this assessment.

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**Analysis**

**Current Law/ Background:** The Division of Labor and Industry within MDL administers the MOSH program. The requirements of the MOSH program are codified by the MOSH Act. In general, these requirements parallel the safety standards established by the federal Occupational Safety and Health Administration (OSHA) within the U.S. Department of Labor. OSHA specifies that states may elect to assume the responsibility for development and management of a state occupational safety and health program as long as the standards under the state program are “at least as effective as” OSHA standards.

The MOSH Advisory Board must advise, consult with, and recommend to the Commissioner of Labor and Industry reasonable regulations related to protecting and improving the safety and health of employees and preventing conditions that are detrimental to safety and health in employment. The board must propose or recommend occupational safety and health standards that are or will be at least as effective in providing safe and healthful employment and places of employment as any standard adopted under OSHA and does not put an undue burden on interstate commerce under specified conditions.

*Maryland Program Evaluation Act*

The board is 1 of approximately 60 regulatory entities and activities subject to termination unless reauthorized periodically through statute. Under MPEA, these entities may also be subject to an evaluation by the Office of Program Evaluation and Government Accountability (OPEGA) within DLS prior to their termination. However, OPEGA may conduct an evaluation only if directed by specified entities or by legislation. The board is scheduled to terminate July 1, 2024; OPEGA was not asked to conduct an evaluation prior to its termination. Accordingly, the board has requested reauthorizing legislation.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Labor; Department of Legislative Services

**Fiscal Note History:** First Reader - January 11, 2024  
km/mcr Third Reader - January 31, 2024

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## ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Occupational Safety and Health Advisory Board –  
Sunset Extension

BILL NUMBER: SB 225

PREPARED BY: Devki Virk, Commissioner Labor & Industry

### PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

  X   WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON  
MARYLAND SMALL BUSINESSES

**OR**

       WILL HAVE A MEANINGFUL ECONOMIC IMPACT ON  
MARYLAND SMALL BUSINESSES

### PART B. ECONOMIC IMPACT ANALYSIS

N/A