
By: Delegates Doory, Billings, Shriver, and Goldwater

Introduced and read first time: January 31, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Unemployment Insurance Contributions - Annual Filing for Employers of Household**
3 **Workers**

4 FOR the purpose of requiring the Secretary of Labor, Licensing, and Regulation under
5 certain circumstances to allow certain employers of household workers to submit
6 unemployment insurance contributions and employment reports annuallywith the
7 Comptroller if the employers are allowed to file annually for federal employment
8 tax purposes; requiring the Comptroller to collect and forward to the Secretary the
9 contributions and reports received with the income tax returns; requiring the
10 Secretary to seek certain waivers from certain federal requirements;and generally
11 relating to annual submission by certain employers of unemployment insurance
12 contributions and employment reports.

13 BY repealing and reenacting, with amendments,
14 Article - Labor and Employment
15 Section 8-607(d)(1) and 8-626
16 Annotated Code of Maryland
17 (1991 Volume and 1995 Supplement)

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

20 **Article - Labor and Employment**

21 8-607.

22 (d) (1) [By] SUBJECT TO § 8-626(D) OF THIS SUBTITLE, BY regulation, the
23 Secretary shall set:

24 (i) the date when contributions are due; and

25 (ii) the manner in which contributions are to be paid.

26 8-626.

27 (a) [For] SUBJECT TO SUBSECTION (D) OF THIS SECTION, FOR each calendar
28 quarter, each employing unit shall submit to the Secretary a contribution and employment
29 report on or before the date that the Secretary sets.

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1 (b) An employing unit shall include in a contribution and employment report
2 information that the Secretary requires.

3 (c) (1) An employing unit that fails to submit a contribution and employment
4 report under this section is subject to a penalty of \$35 unless the Secretary waives the
5 penalty for cause.

6 (2) An employing unit that submits a check or other negotiable instrument
7 in payment of any penalty under this subsection which is returned for insufficient funds is
8 subject to an additional penalty of \$25.

9 (D) (1) TO THE EXTENT ALLOWED BY FEDERAL LAW AND REGULATIONS,
10 INCLUDING REQUIREMENTS FOR CERTIFICATION OF THE STATE'S UNEMPLOYMENT
11 LAW, IF AN EMPLOYER OF A HOUSEHOLD WORKER IS ALLOWED TO PAY FEDERAL
12 EMPLOYMENT TAXES ANNUALLY WITH THE EMPLOYER'S ANNUAL INCOME TAX
13 RETURN, THE SECRETARY SHALL ALLOW THE EMPLOYER TO SUBMIT THE
14 UNEMPLOYMENT INSURANCE CONTRIBUTION AND EMPLOYMENT REPORT
15 ANNUALLY INSTEAD OF QUARTERLY, BY SUBMITTING THE REPORT AND
16 CONTRIBUTION TO THE COMPTROLLER WITH THE EMPLOYER'S OWN INDIVIDUAL
17 STATE INCOME TAX RETURN ON OR BEFORE THE DUE DATE FOR FILING THE
18 INCOME TAX RETURN.

19 (2) AN EMPLOYER ALLOWED TO SUBMIT THE CONTRIBUTION AND
20 REPORT ANNUALLY AS PROVIDED IN THIS SUBSECTION SHALL ADD THE
21 UNEMPLOYMENT INSURANCE CONTRIBUTION TO THE TOTAL STATE AND LOCAL
22 INCOME TAXES DUE FOR THE EMPLOYER'S PERSONAL INCOME TAX RETURN.

23 (3) THE COMPTROLLER SHALL COLLECT AND FORWARD TO THE
24 SECRETARY THE EMPLOYMENT REPORT AND THE UNEMPLOYMENT INSURANCE
25 CONTRIBUTION RECEIVED WITH THE INDIVIDUAL INCOME TAX RETURNS.

26 (4) THE SECRETARY SHALL EXPEDITIOUSLY SEEK ANY WAIVERS OR
27 MODIFICATIONS NECESSARY WITH RESPECT TO FEDERAL LAW, REGULATIONS, OR
28 OTHER REQUIREMENTS PREVENTING THE IMPLEMENTATION OF THIS SUBSECTION.

29 (5) THE COMPTROLLER AND SECRETARY SHALL JOINTLY ADOPT
30 REGULATIONS TO IMPLEMENT THIS SUBSECTION.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 1996.