

---

**By: Chairman, Economic Matters Committee (Departmental - Labor, Licensing and Regulation)**

Introduced and read first time: February 9, 1996

Assigned to: Economic Matters

---

A BILL ENTITLED

1 AN ACT concerning

**2 Unemployment Insurance - Dependents' Allowances and Earnings Disregard**

3 FOR the purpose of increasing the amount of earnings that are not deductible from  
4 unemployment insurance benefits; deleting the provision providing for the payment  
5 of dependents' allowances; providing for the effective date of the amendments; and  
6 generally relating to the payment of unemployment insurance benefits.

7 BY repealing and reenacting, with amendments,  
8 Article - Labor and Employment  
9 Section 8-803(d)  
10 Annotated Code of Maryland  
11 (1991 Volume and 1995 Supplement)

12 BY repealing  
13 Article - Labor and Employment  
14 Section 8-804  
15 Annotated Code of Maryland  
16 (1991 Volume and 1995 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article - Labor and Employment  
19 Section 8-1604(c)  
20 Annotated Code of Maryland  
21 (1991 Volume and 1995 Supplement)  
22 (As enacted by Chapter 332 of the Acts of the General Assembly of 1995)

23 BY renumbering  
24 Article - Labor and Employment  
25 Section 8-805 through 8-809, respectively  
26 to be Section 8-804 through 8-808, respectively  
27 Annotated Code of Maryland  
28 (1991 Volume and 1995 Supplement)

2

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

3 **Article - Labor and Employment**

4 8-803.

5 (d) (1) Except as provided in § 8-1207 of this subtitle for the worksharing  
6 program AND § 8-804 OF THIS SUBTITLE FOR THE SELF-EMPLOYMENT ASSISTANCE  
7 PROGRAM, an eligible claimant shall be paid a weekly benefit amount that is computed  
8 by:

9 (i) determining the claimant's weekly benefit amount under this  
10 section; AND

11 (ii) [adding any allowance for a dependent to which the claimant is  
12 entitled under § 8-804 of this subtitle; and

13 (iii)] subtracting any wages exceeding \$35 payable to the claimant for  
14 the week.

15 (2) In computing benefits under this subsection, a fraction of a dollar shall  
16 be rounded to the next lower dollar.

17 [8-804.

18 (a) (1) Subject to subsection (b) of this section, in addition to the weekly benefit  
19 amount in the schedule of benefits, a claimant shall be paid an allowance of \$8 for each  
20 child, adopted child, or stepchild of the claimant who, on the 1st day of the benefit year,  
21 is:

22 (i) wholly or partly supported by the claimant; and

23 (ii) under 16 years of age.

24 (2) A claimant shall submit to the Secretary the social security number or  
25 copy of the birth certificate of each dependent for whom the claimant is to be paid an  
26 allowance.

27 (b) (1) An allowance under this section is not payable:

28 (i) for more than 5 dependents of the claimant;

29 (ii) for longer than the number of weeks of benefits allowable to the  
30 claimant for total unemployment; or

31 (iii) for any week in which an unemployment benefit is not payable to  
32 the claimant.

33 (2) Benefits and the allowance under this section in any 1 week may not  
34 exceed the highest weekly benefit amount in the schedule of benefits.

35 (c) (1) The number of a claimant's dependents shall be determined as of the 1st  
36 day of the benefit year and shall be fixed for the duration of the benefit year.

3

1                   (2) After an individual has been determined to be a dependent of a  
2 claimant, the individual may not be considered to be a dependent of anyother claimant  
3 whose benefit year starts within 1 year after the determination.

4                   (d) In the computation of a contribution rate under Part II of Subtitle 6 of this  
5 title, an allowance for a dependent shall be considered a benefit.

6                   (e) Notwithstanding subsection (d) of this section, an allowance fora dependent  
7 may not be deducted from a claimant's benefit account.]

8 8-1604.

9                   (c) A self-employment assistance allowance is payable on the same terms and  
10 subject to the same conditions as regular unemployment insurance benefits except that:

11                   (1) the requirements of § 8-903 of this title relating to availability for work  
12 and actively seeking work are not applicable to the individual;

13                   (2) the requirements of § 8-1005 of this title relating to refusal to accept  
14 referrals or offers of suitable work are not applicable to the individual;

15                   (3) the provisions of § 8-803(d) of this title concerning subtracting any  
16 wages in excess of [\$35] \$60 will not apply to the individual;

17                   (4) an individual will be considered unemployed for the purposes of § 8-801  
18 of this title; and

19                   (5) an individual who fails to participate in self-employment activities or  
20 who fails to actively engage on a full-time basis in activities, which may include training,  
21 related to establishing a business and becoming self-employed is deniedfor the week in  
22 which the failure occurs.

23                   SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 8-805 through  
24 8-809, respectively of Article - Labor and Employment of the Annotated Code of  
25 Maryland be renumbered to be Section(s) 8-804 through 8-808, respectively.

26                   SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to  
27 Section 8-803(d) shall be effective for unemployment insurance benefit weekly claims  
28 which are filed for weeks ending on or after October 5, 1996.

29                   SECTION 4. AND BE IT FURTHER ENACTED, That the amendment to  
30 Section 8-804 shall be effective for individuals filing new claims establishing a new benefit  
31 year on or after October 6, 1996.

32                   SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 1996.