
By: Senator Bromwell

Introduced and read first time: January 18, 1996

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 2, 1996

CHAPTER ____

1 AN ACT concerning

2 **Labor and Employment - Reporting of Employment Information**

3 FOR the purpose of requiring certain employers, within a certain period of time, to
4 submit certain information concerning certain employees to the Secretary of Labor,
5 Licensing, and Regulation ~~and to the Child Support Enforcement Administration;~~
6 specifying penalties for violations of the requirements of this Act; providing for the
7 effective date of a portion of this Act; directing the Department of Labor,
8 Licensing, and Regulation to work with the Department of Human Resources for
9 certain purposes; and generally relating to reporting of employment information by
10 employers.

11 BY adding to

- 12 Article - Labor and Employment
- 13 Section 8-626.1
- 14 Annotated Code of Maryland
- 15 (1991 Volume and 1995 Supplement)

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

18 **Article - Labor and Employment**

19 8-626.1.

20 (A) IN THIS SECTION, "DATE OF EMPLOYMENT" MEANS THE DATE ON WHICH
21 AN EMPLOYEE COMMENCES WORKING FOR AN EMPLOYER.

22 (B) WITHIN 14 DAYS OF AN EMPLOYEE'S BEGINNING EMPLOYMENT DATE OF
23 EMPLOYMENT, THE EMPLOYEE'S EMPLOYER SHALL SUBMIT TO THE SECRETARY
24 AND TO THE CHILD SUPPORT ENFORCEMENT ADMINISTRATION;

2

1 ~~(1) THE NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF THE~~
2 ~~EMPLOYEE; AND, THE EMPLOYER'S UNEMPLOYMENT INSURANCE EMPLOYER~~
3 ~~IDENTIFICATION NUMBER, THE DATE OF EMPLOYMENT, AND ANY OTHER~~
4 ~~INFORMATION REQUIRED BY REGULATION.~~

5 ~~(2) A COPY OF THE EMPLOYEE'S WITHHOLDING ALLOWANCE~~
6 ~~CERTIFICATE REQUIRED BY THE INTERNAL REVENUE SERVICE.~~

7 (C) EMPLOYERS SHALL REPORT THE INFORMATION REQUIRED IN
8 SUBSECTION (A) OF THIS SECTION THROUGH MEANS ESTABLISHED BY REGULATION.

9 (D) (1) ANY EMPLOYER WHO FAILS TO REPORT AS REQUIRED UNDER THIS
10 SECTION:

11 (I) SHALL BE GIVEN A WRITTEN WARNING FOR THE FIRST
12 VIOLATION; AND

13 (II) SHALL BE SUBJECT TO A CIVIL PENALTY OF \$200 PER MONTH
14 FOR EACH MONTH IN WHICH A SUBSEQUENT VIOLATION OCCURS, UNLESS THE
15 SECRETARY WAIVES THE PENALTY FOR CAUSE.

16 (2) ALL VIOLATIONS IN A SINGLE MONTH BY THE SAME EMPLOYER
17 SHALL BE CONSIDERED A SINGLE VIOLATION.

18 (E) (1) AN ASSESSMENT OF A PENALTY UNDER THIS SECTION IS FINAL
19 UNLESS, WITHIN 15 DAYS AFTER THE MAILING OF THE ASSESSMENT, AN EMPLOYER
20 REQUESTS A HEARING FROM THE SECRETARY.

21 (2) THE SECRETARY MAY FORWARD THE REQUEST FOR A HEARING TO
22 THE OFFICE OF ADMINISTRATIVE HEARINGS FOR ADJUDICATION.

23 (F) THE DEPARTMENT OF HUMAN RESOURCES SHALL REIMBURSE THE
24 SECRETARY FOR ALL COSTS INCURRED TO CARRY OUT THE PROVISIONS OF THIS
25 SECTION.

26 (G) THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THIS
27 SECTION.

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
29 Labor, Licensing, and Regulation shall work with the Department of Human Resources
30 in developing regulations and any contracts necessary to execute the provisions of Section
31 1 of this Act.

32 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act
33 shall take effect October 1, 1996.

34 SECTION 2- 4. AND BE IT FURTHER ENACTED, That, subject to the
35 provisions of Section 3 of this Act, this Act shall take effect October 1, 1996 1997.

