

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1325

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “the” in line 5 down through “schools,” in line 6; in line 6, strike “officials,” and substitute “officials”; strike beginning with “altering” in line 7 down through “Act” in line 9 and substitute “providing that certain wages paid to an inmate under certain circumstances may not constitute taxable wages; providing that wages paid to an inmate under certain circumstances shall be included as wages for the purpose of determining certain weekly benefit amounts; providing that certain federal funds may be used only for certain purposes; providing for the application of certain provisions of this Act”; and in line 12, strike “8-208, 8-212(c), and 8-217” and substitute “8-212(c), 8-217, and 8-607(e)”; and after line 14, insert:

“BY adding to

Article - Labor and Employment

Section 8-803.1

Annotated Code of Maryland

(1991 Volume and 1997 Supplement)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 down through line 22 on page 2.

On page 3, in line 10, before “Employment” insert “(A)”; in lines 10 and 11, in each instance, strike the bracket; after line 11, insert:

“(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EMPLOYMENT THAT AN INMATE OF A CUSTODIAL OR PENAL INSTITUTION PERFORMS FOR A PRIVATE, FOR-PROFIT EMPLOYER IS NOT COVERED EMPLOYMENT.

(Over)

(2) EMPLOYMENT THAT AN INMATE OF A CUSTODIAL OR PENAL INSTITUTION PERFORMS FOR A PRIVATE, FOR-PROFIT EMPLOYER IS COVERED EMPLOYMENT IF THE INMATE CONTINUES TO BE EMPLOYED BY THE PRIVATE, FOR-PROFIT EMPLOYING UNIT AFTER BEING PERMANENTLY RELEASED FROM THE CUSTODIAL OR PENAL INSTITUTION, INCLUDING RELEASED BY PAROLE.

8-607.

(e) WAGES PAID BY A PRIVATE, FOR-PROFIT EMPLOYING UNIT TO AN INMATE OF A CUSTODIAL OR PENAL INSTITUTION BEFORE THE INMATE IS PERMANENTLY RELEASED FROM THE CUSTODIAL OR PENAL INSTITUTION, INCLUDING RELEASED BY PAROLE, MAY NOT CONSTITUTE TAXABLE WAGES.

(F) An employing unit may not deduct contributions, wholly or partly, from the wages of an employee.

8-803.1.

FOR PURPOSES OF DETERMINING THE WEEKLY BENEFIT AMOUNT IN ANY BENEFIT YEAR UNDER § 8-803 OF THIS SUBTITLE, WAGES PAID BY A PRIVATE, FOR-PROFIT EMPLOYING UNIT FOR EMPLOYMENT PERFORMED BY AN INDIVIDUAL WHILE AN INMATE OF A CUSTODIAL OR PENAL INSTITUTION SHALL BE INCLUDED AS WAGES IF THE INDIVIDUAL CONTINUES TO BE EMPLOYED BY THE PRIVATE, FOR-PROFIT EMPLOYING UNIT AFTER BEING PERMANENTLY RELEASED BY THE CUSTODIAL OR PENAL INSTITUTION, INCLUDING RELEASED BY PAROLE.”;

in line 12, after “That” insert “notwithstanding § 8-405(b) of the Labor and Employment Article and”; strike beginning with “§ 8-405(b)” in line 13 down through “to” in line 14; strike beginning with “only” in line 15 down through the second “funds” in line 16; strike beginning with “All” in line 17 down through the period in line 18; and in line 19, strike “§ 8-217” and substitute “§ 8-217(b)(1)”.