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By: **Delegate D. Davis**

Introduced and read first time: February 9, 2005

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2005

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CHAPTER\_\_\_\_\_

1 AN ACT concerning

2 **Labor and Employment - Payment of Wages - Credit to Debit Card or Card**  
3 **Account**

4 FOR the purpose of authorizing an employer to pay a wage to an employee by credit  
5 of the wage to a certain debit card or card account under certain circumstances;  
6 and generally relating to the payment of wages.

7 BY repealing and reenacting, with amendments,  
8 Article - Labor and Employment  
9 Section 3-502  
10 Annotated Code of Maryland  
11 (1999 Replacement Volume and 2004 Supplement)

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

14 **Article - Labor and Employment**

15 3-502.

16 (a) (1) Each employer:

17 (i) shall set regular pay periods; and

18 (ii) except as provided in paragraph (2) of this subsection, shall pay  
19 each employee at least once in every 2 weeks or twice in each month.

1           (2)     An employer may pay an administrative, executive, or professional  
2 employee less frequently than required under paragraph (1)(ii) of this subsection.

3     (b)     If the regular payday of an employee is a nonworkday, an employer shall  
4 pay the employee on the preceding workday.

5     (c)     Each employer shall pay a wage:

6           (1)     in United States currency; or

7           (2)     by a check that, on demand, is convertible at face value into United  
8 States currency.

9     (d)     This section does not prohibit the:

10           (1)     direct deposit of the wage of an employee into a personal bank  
11 account of the employee in accordance with an authorization of the employee; OR

12           (2)     CREDIT OF THE WAGE OF AN EMPLOYEE TO A DEBIT CARD OR CARD  
13 ACCOUNT FROM WHICH THE EMPLOYEE IS ABLE TO ACCESS THE FUNDS THROUGH  
14 WITHDRAWAL, PURCHASE, OR TRANSFER IF:

15                   (I)     AUTHORIZED BY THE EMPLOYEE; AND

16                   (II)     ANY FEES APPLICABLE TO THE DEBIT CARD OR CARD ACCOUNT  
17 ARE DISCLOSED TO THE EMPLOYEE IN WRITING AT LEAST 12 POINT FONT.

18     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 June 1, 2005.