

Department of Legislative Services  
Maryland General Assembly  
2005 Session

FISCAL AND POLICY NOTE

House Bill 1174  
Economic Matters

(Delegate Impallaria, *et al.*)

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**Task Force on Illegal Immigrants in Maryland's Job Market and the Feasibility  
of Adapting Migrant Agricultural Laborer Laws**

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This bill establishes a Task Force on Illegal Immigrants in Maryland's Job Market and the Feasibility of Adapting Migrant Agricultural Laborer Laws. The task force must: (1) determine which job categories or industries have significant numbers of illegal immigrant workers; (2) assess the effect of employment of illegal immigrants on the competitive bidding process; (3) ascertain the number of jobs in which illegal immigrants unfairly replace citizens; (4) study the feasibility of adapting migrant agricultural laborer laws to the restaurant, hotel, and related industries; and (5) make recommendations regarding legislation to address problems documented by the task force. The Department of Business and Economic Development and the Department of Legislative Services must provide staffing for the task force. The task force's findings and recommendations are due to the Governor and the General Assembly by December 1, 2005.

The bill takes effect July 1, 2005 and terminates December 31, 2005.

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**Fiscal Summary**

**State Effect:** None. Any expense reimbursements for task force members are assumed to be minimal and absorbable within existing budgeted resources. Staffing could be handled with existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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## Analysis

**Current Law:** A migrant agricultural worker is an individual who is employed to do agricultural work of a seasonal or temporary nature. In the course of employment, the worker must be absent from a permanent address, or as part of a day-haul operation, be transported by a farm labor contractor or agent to or from the place of employment. Migrant agricultural worker does not include a nonimmigrant alien who is authorized under federal law to work in agricultural employment in the United States.

An individual may enter into a written agreement or working agreement with a migrant agricultural worker to provide agricultural labor in the State. The worker does not have to live in the State for the individual to make the agreement. The individual may then act to provide the services of the laborer to other individuals who need agricultural labor. These contractors must be licensed by the State. If a licensee gives false information to a migrant agricultural worker, it is grounds for suspension or revocation of the license.

The agreement must disclose to the migrant worker each place of employment; a description of the crops and activities involved; conditions of employment (including wages); the type of housing, insurance, and transportation provided to the worker and the cost to the worker of those services; and any labor disputes at the site where the laborer would work. The agreement must be in a language that is common to the worker.

**Background:** Immigration officials estimate that there are 8 to 10 million illegal immigrants in the United States, most of whom are from Latin America. There are as many as 56,000 illegal immigrants in Maryland, or about 1% of the State's population.

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## Additional Information

**Prior Introductions:** HB 1121 of 2004 would have created a task force to study the impact of illegal immigration on the State's job market but received an unfavorable report from the Economic Matters Committee.

**Cross File:** None.

**Information Source(s):** Department of Business and Economic Development, Department of Legislative Services

**Fiscal Note History:** First Reader - March 16, 2005  
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Analysis by: Nora C. McArdle

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510