

SB0451/107777/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 451

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “investigation” in line 5 down through “enforcement” in line 6; and in line 7, strike “internally or issue a certain order under certain circumstances;” and substitute “informally; requiring the Commissioner to issue an order for a hearing under certain circumstances; requiring the Commissioner to take certain actions if an employee is found to be entitled to restitution;”.

AMENDMENT NO. 2

On page 2, in line 8, strike “A” and substitute “EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A”; in line 11, strike “INVESTIGATION AND ENFORCEMENT PROCEDURES UNDER” and substitute “PROVISIONS OF”; strike beginning with the colon in line 15 down through the second “SUBTITLE” in line 18 and substitute “TRY TO RESOLVE THE ISSUE INFORMALLY”; after line 18, insert:

“(4) (I) IF THE COMMISSIONER IS UNABLE TO RESOLVE THE MATTER INFORMALLY, THE COMMISSIONER SHALL ISSUE AN ORDER FOR A HEARING IN ACCORDANCE WITH § 17-221 OF THIS SUBTITLE.

(II) IF, AT THE CONCLUSION OF A HEARING ORDERED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COMMISSIONER DETERMINES THAT THE EMPLOYEE IS ENTITLED TO RESTITUTION UNDER THIS SUBTITLE, THE COMMISSIONER SHALL ISSUE AN ORDER IN ACCORDANCE WITH § 17-221 OF THIS SUBTITLE.

(III) IF AN EMPLOYER OF AN EMPLOYEE FOUND TO BE ENTITLED TO RESTITUTION UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IS

(Over)

NO LONGER WORKING UNDER A CONTRACT WITH A PUBLIC BODY, THE COMMISSIONER MAY ORDER THAT RESTITUTION BE PAID DIRECTLY BY THE EMPLOYER TO THE EMPLOYEE WITHIN A REASONABLE PERIOD OF TIME, AS DETERMINED BY THE COMMISSIONER.”;

in line 19, strike “THE” and substitute “AN”; strike beginning with “ISSUED” in line 19 down through “**(3)(II)**” in line 20 and substitute “TO PAY RESTITUTION TO AN EMPLOYEE UNDER PARAGRAPH **(4)(III)**”; and in line 19, strike “**(4)**” and substitute “**(5)**”.