

HOUSE BILL 1082

K2

0lr2439
CF SB 500

By: **Delegate Braveboy**

Introduced and read first time: February 17, 2010

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Unemployment Insurance – Compensation for Lawyer or Agent**
3 **Representation in Claim Proceedings**

4 FOR the purpose of repealing certain provisions of law that specify a limit on the
5 amount of compensation that a lawyer may charge a claimant for
6 representation in a proceeding relating to the determination of an
7 unemployment insurance claim before a hearing examiner, special examiner, or
8 the Board of Appeals in the Department of Labor, Licensing, and Regulation;
9 repealing a certain provision that prohibits an agent from charging a claimant
10 for representation in a proceeding relating to the determination of an
11 unemployment insurance claim before a special examiner or the Board of
12 Appeals; and generally relating to unemployment insurance and compensation
13 for lawyer representation in claim proceedings.

14 BY repealing and reenacting, with amendments,
15 Article – Labor and Employment
16 Section 8–507 and 8–5A–08
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2009 Supplement)

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

21 **Article – Labor and Employment**

22 8–507.

23 (a) In a proceeding before a hearing examiner, a claimant may be
24 represented by a lawyer or another agent authorized by the claimant.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) [A lawyer may charge and accept compensation in an amount not greater
2 than that approved by the chief hearing examiner.

3 (c) Except as provided in subsection (b) of this section, an agent may not
4 charge or accept compensation for representing a claimant in a proceeding before a
5 hearing examiner.

6 (d)] In a proceeding before a hearing examiner, an employer may appear pro
7 se or be represented by a lawyer or another agent authorized by the employer.

8 [(e)] (C) A person may not solicit, for that person or another person, the
9 business of appearing on behalf of a claimant in a proceeding before a hearing
10 examiner.

11 8-5A-08.

12 (a) In a proceeding before a special examiner or the Board of Appeals, a
13 claimant may be represented by a lawyer or another agent authorized by the claimant.

14 (b) [An agent may not charge or accept compensation for representing a
15 claimant in a proceeding before a special examiner or the Board of Appeals except that
16 a lawyer may charge and accept compensation in an amount not greater than that
17 approved by the Board of Appeals.

18 (c)] In a proceeding before a special examiner or the Board of Appeals, an
19 employer may appear for itself or be represented by a lawyer or another agent
20 authorized by the employer.

21 [(d)] (C) A person may not solicit, for that person or another person, the
22 business of appearing on behalf of a claimant in a proceeding before a special
23 examiner or the Board of Appeals.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2010.