

HOUSE BILL 298

K3

1lr1332

By: **Delegates Pena–Melnik and Braveboy**
Introduced and read first time: February 2, 2011
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Wage Payment and Collection – Void Agreements**

3 FOR the purpose of establishing that an agreement between an employer and an
4 employee for the employee to work for less than a certain required wage is void;
5 and generally relating to void agreements to work for less than a certain wage.

6 BY repealing and reenacting, with amendments,
7 Article – Labor and Employment
8 Section 3–502
9 Annotated Code of Maryland
10 (2008 Replacement Volume and 2010 Supplement)

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

13 **Article – Labor and Employment**

14 3–502.

15 (a) (1) Each employer:

16 (i) shall set regular pay periods; and

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (c) Each employer shall pay a wage:

2 (1) in United States currency; or

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

5 (d) (1) In this subsection, “employer” includes a governmental unit.

6 (2) An employer may not print or cause to be printed an employee’s
7 Social Security number on the employee’s wage payment check, an attachment to an
8 employee’s wage payment check, a notice of direct deposit of an employee’s wage, or a
9 notice of credit of an employee’s wage to a debit card or card account.

10 (e) This section does not prohibit the:

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

13 (2) credit of the wage of an employee to a debit card or card account
14 from which the employee is able to access the funds through withdrawal, purchase, or
15 transfer if:

16 (i) authorized by the employee; and

17 (ii) any fees applicable to the debit card or card account are
18 disclosed to the employee in writing in at least 12 point font.

19 **(F) AN AGREEMENT TO WORK FOR LESS THAN THE WAGE REQUIRED**
20 **UNDER THIS SUBTITLE IS VOID.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2011.