

HOUSE BILL 353

D1

2lr0539
CF 2lr1241

By: **Delegates Holmes and Glenn**

Introduced and read first time: January 30, 2012

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2012

CHAPTER _____

1 AN ACT concerning

2 **Jury Service – Employers – Prohibited Acts**

3 FOR the purpose of prohibiting an employer from requiring an individual to work
4 during a certain time period on a day in which the individual is expected to
5 perform jury service or acts related to jury service, ~~subject to a certain exception~~
6 or on a day after the individual performs jury service or acts related to jury
7 service; prohibiting an employer from depriving an individual of employment or
8 coercing, intimidating, or threatening to discharge an individual for exercising a
9 certain right to refrain from work for performing jury service or acts relating to
10 jury service; and generally relating to jury service.

11 BY repealing and reenacting, with amendments,
12 Article – Courts and Judicial Proceedings
13 Section 8–501
14 Annotated Code of Maryland
15 (2006 Replacement Volume and 2011 Supplement)

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

18 **Article – Courts and Judicial Proceedings**

19 8–501.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) An employer may not deprive an individual of employment or coerce,
2 intimidate, or threaten to discharge an individual because the individual [loses]:

3 (1) **LOSES** employment time in responding to a summons under this
4 title or attending, or being in proximity to, a circuit court for jury service under this
5 title; OR

6 (2) **EXERCISES A RIGHT TO REFRAIN FROM WORK UNDER**
7 **SUBSECTION (B) OF THIS SECTION.**

8 (B) ~~(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS~~
9 ~~SUBSECTION, AN~~ **AN EMPLOYER MAY NOT REQUIRE AN INDIVIDUAL TO WORK**
10 ~~BETWEEN 12:00 A.M. AND 11:59 P.M. ON A DAY IN WHICH THE INDIVIDUAL IS~~
11 ~~EXPECTED TO RESPOND TO A SUMMONS UNDER THIS TITLE OR ATTEND, OR BE~~
12 ~~IN PROXIMITY TO, A CIRCUIT COURT FOR JURY SERVICE UNDER THIS TITLE WHO~~
13 ~~IS SUMMONED AND APPEARS FOR JURY SERVICE FOR 4 OR MORE HOURS,~~
14 ~~INCLUDING TRAVELING TIME, TO WORK AN EMPLOYMENT SHIFT THAT BEGINS:~~

15 (1) ON OR AFTER 5 P.M. ON THE DAY OF THE INDIVIDUAL'S
16 APPEARANCE FOR JURY SERVICE; OR

17 (2) BEFORE 3 A.M. ON THE DAY FOLLOWING THE INDIVIDUAL'S
18 APPEARANCE FOR JURY SERVICE.

19 ~~(2) IF AN INDIVIDUAL SPENDS 3 HOURS OR LESS OF A DAY~~
20 ~~RESPONDING TO A SUMMONS UNDER THIS TITLE OR ATTENDING, OR BEING IN~~
21 ~~PROXIMITY TO, A CIRCUIT COURT FOR JURY SERVICE UNDER THIS TITLE, AN~~
22 ~~EMPLOYER MAY REQUIRE THE INDIVIDUAL TO WORK DURING THE REMAINDER~~
23 ~~OF THAT DAY.~~

24 [(b)] (C) A person who violates any provision of this section is subject to a
25 fine not exceeding \$1,000.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2012.