

# HOUSE BILL 1146

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By: **Delegates McCray, Frick, Glenn, Hayes, Impallaria, Lierman, Tarlau, and Valderrama**

Introduced and read first time: February 9, 2017

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – General Contractor Liability for Nonpayment of**  
3 **Wages**

4 FOR the purpose of providing that certain contractors are jointly and severally liable for  
5 certain violations of the wage payment and collection law by certain subcontractors  
6 under certain circumstances; and generally relating to the liability of general  
7 contractors for nonpayment of wages.

8 BY repealing and reenacting, with amendments,  
9 Article – Labor and Employment  
10 Section 3–507.2  
11 Annotated Code of Maryland  
12 (2016 Replacement Volume)

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

15 **Article – Labor and Employment**

16 3–507.2.

17 (a) Notwithstanding any remedy available under § 3–507 of this subtitle, if an  
18 employer fails to pay an employee in accordance with § 3–502 or § 3–505 of this subtitle,  
19 after 2 weeks have elapsed from the date on which the employer is required to have paid  
20 the wages, the employee may bring an action against the employer to recover the unpaid  
21 wages.

22 (b) If, in an action under subsection (a) of this section, a court finds that an  
23 employer withheld the wage of an employee in violation of this subtitle and not as a result

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 of a bona fide dispute, the court may award the employee an amount not exceeding 3 times  
2 the wage, and reasonable counsel fees and other costs.

3 **(C) IN AN ACTION UNDER SUBSECTION (A) OF THIS SECTION, A GENERAL**  
4 **CONTRACTOR IS JOINTLY AND SEVERALLY LIABLE FOR VIOLATIONS OF THIS**  
5 **SUBTITLE COMMITTED BY ITS SUBCONTRACTORS AND THE SUBCONTRACTORS'**  
6 **SUBCONTRACTORS.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2017.