

# HOUSE BILL 479

F1, F5  
HB 1061/18 – W&M

9lr2223  
CF 9lr0737

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By: **Delegates Ebersole, D. Barnes, Kaiser, Lierman, Palakovich Carr, Stein, and Wilson**

Introduced and read first time: February 1, 2019

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Salaries of Noncertificated Public School Employees – Minimum**  
3 **Living Salaries**

4 FOR the purpose of requiring that certain public school employees in certain areas be paid  
5 at least certain minimum living salaries; specifying the minimum living salaries that  
6 are in effect for certain time periods; increasing the minimum living salaries in effect  
7 for certain time periods based on a certain Consumer Price Index for All Urban  
8 Consumers; requiring that a certain minimum living salary remain the same as the  
9 salary that was in effect for a certain time period under certain circumstances;  
10 requiring that a certain contract for certain services require that the third party  
11 provide certain working conditions and standards and pay at least a certain  
12 minimum living salary; defining certain terms; providing for the construction and  
13 application of this Act; and generally relating to the minimum living salaries for  
14 noncertificated public school employees.

15 BY adding to

16 Article – Education

17 Section 6–5A–01 through 6–5A–05 to be under the new subtitle “Subtitle 5A.  
18 Salaries of Noncertificated Employees”

19 Annotated Code of Maryland

20 (2018 Replacement Volume and 2018 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

22 That the Laws of Maryland read as follows:

23 **Article – Education**

24 **SUBTITLE 5A. SALARIES OF NONCERTIFICATED EMPLOYEES.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **6-5A-01.**

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
3 INDICATED.

4 (B) "CONSUMER PRICE INDEX" MEANS THE CONSUMER PRICE INDEX FOR  
5 ALL URBAN CONSUMERS FOR THE WASHINGTON METROPOLITAN AREA OR A  
6 SUCCESSOR INDEX PUBLISHED BY THE FEDERAL BUREAU OF LABOR STATISTICS.

7 (C) "LIVING SALARY" MEANS A MINIMUM ANNUAL SALARY AMOUNT FOR A  
8 NONCERTIFICATED PUBLIC SCHOOL EMPLOYEE ESTABLISHED UNDER § 6-5A-03 OF  
9 THIS SUBTITLE.

10 (D) "PUBLIC SCHOOL EMPLOYEE" HAS THE MEANING STATED IN § 6-501 OF  
11 THIS TITLE.

12 (E) "PUBLIC SCHOOL EMPLOYER" HAS THE MEANING STATED IN § 6-501 OF  
13 THIS TITLE.

14 (F) "TIER 1 AREA" INCLUDES MONTGOMERY COUNTY, PRINCE GEORGE'S  
15 COUNTY, HOWARD COUNTY, ANNE ARUNDEL COUNTY, BALTIMORE COUNTY, AND  
16 BALTIMORE CITY.

17 (G) "TIER 2 AREA" INCLUDES ANY COUNTY IN THE STATE NOT INCLUDED IN  
18 THE TIER 1 AREA.

19 **6-5A-02.**

20 A PUBLIC SCHOOL EMPLOYEE WHO IS EMPLOYED BY A PUBLIC SCHOOL  
21 EMPLOYER SHALL BE PAID AT LEAST THE MINIMUM LIVING SALARY ESTABLISHED  
22 UNDER § 6-5A-03 OF THIS SUBTITLE.

23 **6-5A-03.**

24 (A) THE MINIMUM LIVING SALARY FOR A PUBLIC SCHOOL EMPLOYEE IN A  
25 TIER 1 AREA SHALL BE:

26 (1) FOR THE 12-MONTH PERIOD BEGINNING JULY 1, 2021, \$29,000  
27 PER YEAR;

28 (2) FOR THE 12-MONTH PERIOD BEGINNING JULY 1, 2022, \$32,500  
29 PER YEAR;

1           **(3) FOR THE 12-MONTH PERIOD BEGINNING JULY 1, 2023, \$36,000**  
2 **PER YEAR; AND**

3           **(4) FOR THE 12-MONTH PERIOD BEGINNING JULY 1, 2024, AND EACH**  
4 **JULY 1 THEREAFTER, THE MINIMUM LIVING SALARY IN EFFECT FOR THE**  
5 **IMMEDIATELY PRECEDING 12-MONTH PERIOD INCREASED BY ANY RATE OF**  
6 **GROWTH IN THE CONSUMER PRICE INDEX FOR THE IMMEDIATELY PRECEDING**  
7 **12-MONTH PERIOD.**

8           **(B) THE MINIMUM LIVING SALARY FOR A PUBLIC SCHOOL EMPLOYEE IN A**  
9 **TIER 2 AREA SHALL BE:**

10           **(1) FOR THE 12-MONTH PERIOD BEGINNING JULY 1, 2021, \$24,000**  
11 **PER YEAR;**

12           **(2) FOR THE 12-MONTH PERIOD BEGINNING JULY 1, 2022, \$27,750**  
13 **PER YEAR;**

14           **(3) FOR THE 12-MONTH PERIOD BEGINNING JULY 1, 2023, \$31,500**  
15 **PER YEAR; AND**

16           **(4) FOR THE 12-MONTH PERIOD BEGINNING JULY 1, 2024, AND EACH**  
17 **JULY 1 THEREAFTER, THE MINIMUM LIVING SALARY IN EFFECT FOR THE**  
18 **IMMEDIATELY PRECEDING 12-MONTH PERIOD INCREASED BY ANY RATE OF**  
19 **GROWTH IN THE CONSUMER PRICE INDEX FOR THE IMMEDIATELY PRECEDING**  
20 **12-MONTH PERIOD.**

21           **(C) IF THERE IS A DECLINE OR NO GROWTH IN THE CONSUMER PRICE**  
22 **INDEX, THE MINIMUM LIVING SALARY SHALL REMAIN THE SAME AS THE SALARY**  
23 **THAT WAS IN EFFECT FOR THE IMMEDIATELY PRECEDING 12-MONTH PERIOD.**

24 **6-5A-04.**

25           **A CONTRACT ENTERED INTO BY A PUBLIC SCHOOL EMPLOYER AND A THIRD**  
26 **PARTY FOR SERVICES THAT OTHERWISE WOULD BE PROVIDED BY A PUBLIC SCHOOL**  
27 **EMPLOYEE SHALL REQUIRE THAT THE THIRD PARTY:**

28           **(1) PROVIDE THE SAME WORKING CONDITIONS AND STANDARDS**  
29 **THAT WOULD HAVE BEEN REQUIRED FOR A PUBLIC SCHOOL EMPLOYEE; AND**

30           **(2) PAY AT LEAST THE MINIMUM LIVING SALARY THAT THE PUBLIC**  
31 **SCHOOL EMPLOYER WOULD HAVE BEEN REQUIRED TO PAY UNDER THIS SUBTITLE.**

1 **6-5A-05.**

2           **NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO PROHIBIT A PUBLIC**  
3 **SCHOOL EMPLOYER AND AN EXCLUSIVE REPRESENTATIVE FROM NEGOTIATING A**  
4 **LIVING SALARY SCHEDULE THAT EXCEEDS THE REQUIREMENTS OF THIS SUBTITLE.**

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to  
6 apply only prospectively and may not be applied or interpreted to have any effect on or  
7 application to any existing collective bargaining agreements that were entered into before  
8 the effective date of this Act.

9           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
10 1, 2019.