SENATE BILL 403

K3 0lr0436 CF HB 1123 By: Senators Carozza, Miller, Gallion, Hester, and West Introduced and read first time: January 27, 2020 Assigned to: Finance Committee Report: Favorable with amendments Senate action: Adopted Read second time: March 3, 2020 CHAPTER AN ACT concerning Labor and Employment - Maryland Wage and Hour Law - Agricultural Stands, Retail Farms, and Farmers' Markets FOR the purpose of establishing an exemption from the Maryland Wage and Hour Law for an individual employed at an agricultural stand, a retail farm, or a farmers' market that primarily sells at retail certain items agricultural products that the employer has produced; and generally relating to the Maryland Wage and Hour Law. BY repealing and reenacting, with amendments, Article – Labor and Employment Section 3–403 Annotated Code of Maryland (2016 Replacement Volume and 2019 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: Article - Labor and Employment 3-403.This subtitle does not apply to an individual who: is employed in a capacity that the Commissioner defines, by regulation, (1)to be administrative, executive, or professional;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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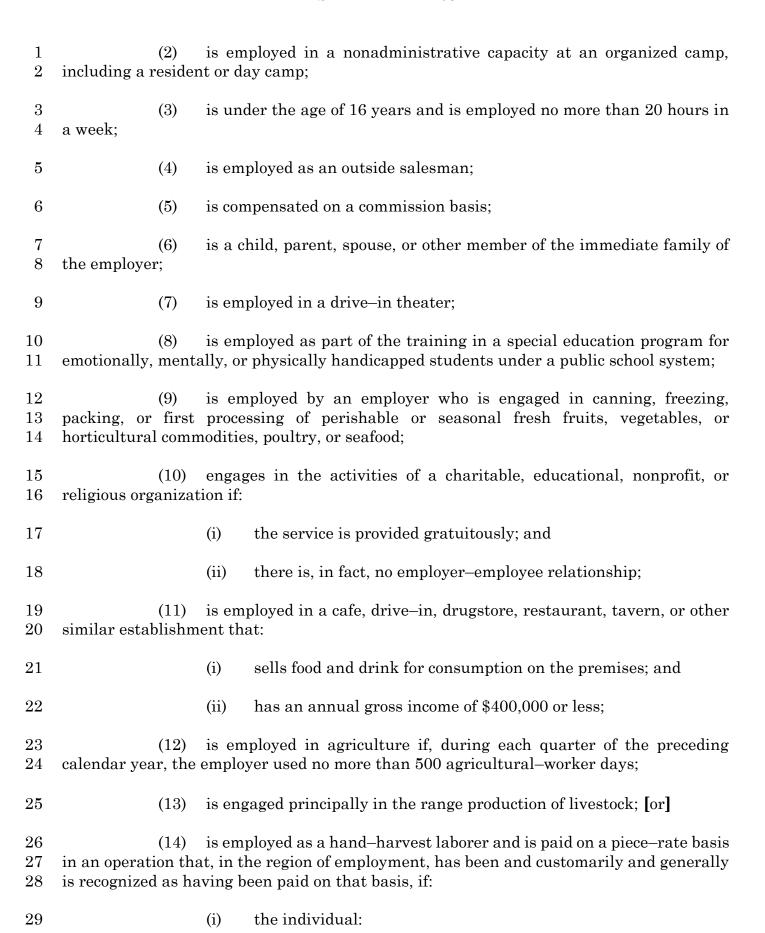
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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.





$\frac{1}{2}$	1. commutes daily from the permanent residence of the individual to the farm where the individual is employed; and
3 4	2. during the preceding calendar year, was employed in agriculture less than 13 weeks; or
5	(ii) the individual:
6	1. is under the age of 17;
7 8	2. is employed on the same farm as a parent of the individual or a person standing in the place of the parent; and
9 10	3. is paid at the same rate that an employee who is at least 17 years old is paid on the same farm; OR
11 12 13 14	(15) IS EMPLOYED AT AN AGRICULTURAL STAND, A RETAIL FARM, OR A FARMERS' MARKET THAT PRIMARILY SELLS AT RETAIL PERISHABLE OR SEASONAL FRESH FRUITS, VEGETABLES, OR HORTICULTURAL COMMODITIES AGRICULTURAL PRODUCTS THAT THE EMPLOYER HAS PRODUCED.
15 16	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.
	Approved:
	Governor.
	President of the Senate.
	Speaker of the House of Delegates.