

SENATE BILL 420

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CF HB 719

By: **Senators Rosapepe, Hayes, West, Jackson, and Lam**

Introduced and read first time: January 26, 2022

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 2022

CHAPTER _____

1 AN ACT concerning

2 **Employment of Minors – ~~Work Permits – Information Sharing~~ Opportunities for**
3 **Work**

4 FOR the purpose of requiring the Commissioner of Labor and Industry, ~~unless the parent~~
5 ~~or guardian of the minor has opted out~~ subject to a certain limitation, to release
6 certain personal information of a minor who has a work permit ~~and certain~~
7 ~~information of the employer of the minor~~ to certain entities that have requested and
8 have registered with the Department for the purposes of receiving the information;
9 and generally relating to the employment of minors and work permits.

10 BY repealing and reenacting, with amendments,
11 Article – Labor and Employment
12 Section 3–206
13 Annotated Code of Maryland
14 (2016 Replacement Volume and 2021 Supplement)

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

17 **Article – Labor and Employment**

18 3–206.

19 (a) A parent or guardian of a minor may apply for a work permit by completing
20 an online application that includes:

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 (1) verification of the minor's age;
- 2 (2) a description of the work to be performed by the minor;
- 3 (3) approval by the parent or guardian of the minor's employment; and
- 4 (4) any other information the Commissioner may require.

5 (b) After reviewing an online application for a work permit, the Commissioner
6 may issue the permit if the employment is allowed under this subtitle for the minor for
7 whom the permit is sought.

8 (c) (1) The Commissioner may issue a work permit that authorizes a minor to
9 be employed in an occupation that otherwise would be restricted under § 3–213 of this
10 subtitle, if the minor:

11 (i) is exempted, under § 7–301(d)(2)(i) of the Education Article, from
12 attendance in public school because the emotional, mental, or physical condition of the
13 minor makes instruction detrimental to the progress of the minor;

14 (ii) is to be employed only in office work;

15 (iii) is to be employed in work that is performed outside of all rooms
16 where goods are manufactured or processed; or

17 (iv) is to be employed in work that a county school system obtains
18 and supervises as part of a work–study, student–learner, or similar program for which the
19 employment is an integral part of the course of study.

20 (2) The Commissioner shall issue a work permit that authorizes a minor to
21 be employed:

22 (i) in an occupation that otherwise would be restricted under §
23 3–213 of this subtitle if the minor is granted an exception by the Commissioner because,
24 after investigation, the Commissioner determines that neither the work nor the work site
25 where the work is to be performed is hazardous to the minor; or

26 (ii) in an occupation that otherwise would be restricted under §
27 3–213(c)(1) or (2) of this subtitle, if the minor:

28 1. has completed a course of study in that occupation at an
29 accredited school and has been graduated from the school; or

30 2. is granted an exception by the Commissioner because
31 employment in that occupation is part of a work–study, student–learner, or apprentice
32 program under a federal, State, or local governmental agency.

1 (D) (1) ~~UNLESS THE PARENT OR GUARDIAN OF THE MINOR HAS OPTED~~
2 ~~OUT~~ SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COMMISSIONER SHALL
3 RELEASE THE NAME, HOME ADDRESS, AND TELEPHONE NUMBER, AND DATE OF
4 BIRTH OF A MINOR WHO IS AT LEAST 16 YEARS OLD AND HAS A WORK PERMIT AND
5 THE NAME, BUSINESS NAME, ADDRESS, AND TELEPHONE NUMBER OF THE
6 EMPLOYER OF THE MINOR TO THE FOLLOWING ORGANIZATIONS THAT REQUEST AND
7 HAVE REGISTERED WITH THE DEPARTMENT FOR THE PURPOSE OF RECEIVING THE
8 INFORMATION:

9 (I) EMPLOYERS AND APPRENTICESHIP SPONSORS ~~REGISTERED~~
10 ~~WITH THE DEPARTMENT;~~

11 (II) EDUCATIONAL PROGRAMS AND INSTITUTIONS ~~REGISTERED~~
12 ~~WITH THE DEPARTMENT;~~ AND

13 (III) LOCAL WORKFORCE DEVELOPMENT BOARDS THAT HAVE
14 SYSTEMS TO SHARE THE INFORMATION WITH EMPLOYERS, APPRENTICESHIP
15 SPONSORS, AND EDUCATIONAL PROGRAMS AND INSTITUTIONS THAT REGISTER
16 WITH THE LOCAL WORKFORCE DEVELOPMENT BOARD FOR THE PURPOSE OF
17 RECEIVING THE INFORMATION.

18 (2) THE DEPARTMENT MAY RELEASE INFORMATION RELATING TO A
19 MINOR ONLY IF A PARENT OR GUARDIAN OF THE MINOR OR THE MINOR ELECTS TO
20 ALLOW THE SHARING OF THE INFORMATION.

21 ~~(2)~~ (3) THE DEPARTMENT SHALL ADOPT REGULATIONS
22 NECESSARY TO CARRY OUT THIS SUBSECTION, INCLUDING THE PROCESS BY WHICH
23 A PARENT OR GUARDIAN OF THE MINOR OR THE MINOR MAY OPT ~~OUT OF~~ IN TO THE
24 SHARING OF INFORMATION UNDER PARAGRAPH ~~(1)~~ (2) OF THIS SUBSECTION.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2022.