

SB0245/503428/1

BY: Senator Ready

AMENDMENTS TO SENATE BILL 245
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– **Prohibition**” and substitute “**and E-Verify Program**”; in line 7, after “date;” insert “requiring, beginning on a certain date, employers in the State to verify the employment eligibility of employees through the federal E-Verify program; prohibiting an employer from knowingly employing or continuing to employ certain individuals;”; in the same line, after “enforcement” insert “and the use of the federal E-Verify program”; and after line 12 insert:

“BY repealing and reenacting, without amendments,

Article - Labor and Employment

Section 3–103(a)

Annotated Code of Maryland

(2025 Replacement Volume)

BY adding to

Article - Labor and Employment

Section 3–718

Annotated Code of Maryland

(2025 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, after line 11, insert:

“Article – Labor and Employment

3–103.

(a) Except as otherwise provided in this section, the Commissioner may conduct an investigation to determine whether a provision of this title has been violated on the Commissioner's own initiative or may require a written complaint.

3-718.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "EMPLOYEE" MEANS AN INDIVIDUAL WHO PROVIDES SERVICES OR LABOR FOR AN EMPLOYER IN THE STATE FOR REMUNERATION.

(II) "EMPLOYEE" DOES NOT INCLUDE AN INDEPENDENT CONTRACTOR.

(3) "EMPLOYER" MEANS A PERSON OR GOVERNMENTAL ENTITY THAT EMPLOYS AT LEAST ONE INDIVIDUAL IN THE STATE.

(4) "E-VERIFY PROGRAM" MEANS THE FEDERAL E-VERIFY PROGRAM THAT PROVIDES ELECTRONIC VERIFICATION OF WORK AUTHORIZATION AND IS JOINTLY OPERATED BY THE U.S. DEPARTMENT OF HOMELAND SECURITY AND THE SOCIAL SECURITY ADMINISTRATION, OR A SUCCESSOR PROGRAM.

(5) "UNAUTHORIZED ALIEN" MEANS AN ALIEN WHO DOES NOT HAVE THE LEGAL RIGHT OR AUTHORIZATION UNDER FEDERAL LAW TO WORK IN THE UNITED STATES AS DESCRIBED IN 8 U.S.C. § 1324A(H)(3).

(B) BEGINNING JANUARY 1, 2027, EACH EMPLOYER, AFTER HIRING AN EMPLOYEE, SHALL:

(1) VERIFY THE EMPLOYMENT ELIGIBILITY OF THE EMPLOYEE THROUGH THE E-VERIFY PROGRAM; AND

(2) KEEP A RECORD OF THE VERIFICATION FOR THE DURATION OF THE EMPLOYEE'S EMPLOYMENT OR AT LEAST 3 YEARS, WHICHEVER IS LONGER.

(C) AN EMPLOYER MAY NOT KNOWINGLY EMPLOY OR CONTINUE TO EMPLOY AN INDIVIDUAL WHO IS AN UNAUTHORIZED ALIEN.

(D) IF THE COMMISSIONER DETERMINES THAT THE EMPLOYER HAS VIOLATED THIS SECTION, THE COMMISSIONER SHALL ISSUE AN ORDER COMPELLING COMPLIANCE WITH THIS SECTION."