

HOUSE BILL 69

K3

6lr0691

(PRE-FILED)

By: **Delegate Vogel**

Requested: August 13, 2025

Introduced and read first time: January 14, 2026

Assigned to: Government, Labor, and Elections

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Exemptions From Overtime Pay – Administrative,**
3 **Executive, or Professional Capacity**

4 FOR the purpose of altering the exemption from overtime pay for individuals who are
5 employed to work in an administrative, executive, or professional capacity; and
6 generally relating to exemptions from overtime pay.

7 BY repealing and reenacting, with amendments,
8 Article – Labor and Employment
9 Section 3–403
10 Annotated Code of Maryland
11 (2025 Replacement Volume)

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

14 **Article – Labor and Employment**

15 3–403.

16 This subtitle does not apply to an individual [who]:

17 [(1) is employed in a capacity that the Commissioner defines, by regulation,
18 to be administrative, executive, or professional;]

19 (1) (I) WHO IS COMPENSATED ON A SALARY BASIS, AS DEFINED IN
20 29 C.F.R. § 541.602, OR A FEE BASIS, AS DEFINED IN 29 C.F.R. § 541.605, AT NOT
21 LESS THAN:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



5 C. FOR THE 12-MONTH PERIOD BEGINNING JULY 1,
6 2029, \$884.62 PER WEEK;

E. BEGINNING JULY 1, 2031, \$961.54 PER WEEK; OR

12 (II) 1. WHOSE PRIMARY DUTY:

(2) WHO is employed in a nonadministrative capacity at an organized camp, including a resident or day camp;

8 (3) WHO is under the age of 16 years and is employed no more than 20
9 hours in a week;

10 (4) WHO is employed as an outside salesman;

11 (5) WHO is compensated on a commission basis;

12 (6) WHO is a child, parent, spouse, or other member of the immediate
13 family of the employer;

14 (7) WHO is employed in a drive-in theater;

15 (8) WHO is employed as part of the training in a special education program
16 for emotionally, mentally, or physically handicapped students under a public school system;

(10) WHO engages in the activities of a charitable, educational, nonprofit, or religious organization if:

22 (i) the service is provided gratuitously; and

23 (ii) there is, in fact, no employer-employee relationship;

24 (11) WHO is employed in a cafe, drive-in, drugstore, restaurant, tavern, or
25 other similar establishment that:

26 (i) sells food and drink for consumption on the premises; and

27 (ii) has an annual gross income of \$400,000 or less;

(12) WHO is employed in agriculture if, during each quarter of the preceding calendar year, the employer used no more than 500 agricultural-worker days;

(13) WHO is engaged principally in the range production of livestock;

(14) WHO is employed as a hand-harvest laborer and is paid on a piece-rate basis in an operation that, in the region of employment, has been and customarily and generally is recognized as having been paid on that basis, if:

(i) the individual:

(ii) the individual:

1. is under the age of 17;

16 (15) **WHO** is a covered employee under the Secure Maryland Wage Act; or

17 (16) (i) WHO has entered into a contract to play baseball at the minor
18 league level; and

19 (ii) WHO is compensated in accordance with the terms of a collective
20 bargaining agreement that expressly states the wages and working conditions of
21 employees.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2026.