

SENATE BILL 216

K2

(PRE-FILED)

6lr0111
CF HB 242

By: **Chair, Finance Committee (By Request – Departmental – Labor)**

Requested: September 16, 2025

Introduced and read first time: January 14, 2026

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: February 7, 2026

CHAPTER _____

1 AN ACT concerning

2 **Unemployment Insurance – Confidentiality of Information**

3 FOR the purpose of altering requirements related to the confidentiality of unemployment
4 insurance information to ensure compliance with federal law and regulations;
5 altering existing confidentiality provisions related to inspection of employment
6 records as well as claim information by agents of child support enforcement units;
7 establishing exceptions to the confidentiality requirement in accordance with federal
8 law and regulations; establishing penalties for the unauthorized disclosure of
9 confidential unemployment insurance information by recipients and current and
10 former employees of the Maryland Department of Labor; and generally relating to
11 unemployment insurance information.

12 BY repealing and reenacting, with amendments,

13 Article – Labor and Employment
14 Section 8–101, 8–110, and 8–1305(c)
15 Annotated Code of Maryland
16 (2025 Replacement Volume)

17 BY adding to

18 Article – Labor and Employment
19 Section 8–111
20 Annotated Code of Maryland
21 (2025 Replacement Volume)

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 BY repealing
2 Article – Labor and Employment
3 Section 8–625(d) and 8–811
4 Annotated Code of Maryland
5 (2025 Replacement Volume)

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

8 **Article – Labor and Employment**

9 8–101.

10 (a) In this title the following words have the meanings indicated.

11 (b) “Base period” means:

12 (1) the first 4 of the last 5 completed calendar quarters immediately
13 preceding the start of the benefit year; or

14 (2) the 4 most recently completed calendar quarters immediately preceding
15 the start of the benefit year only if the individual applying for benefits does not qualify for
16 any benefits under § 8–802 of this title using the definition in item (1) of this subsection.

17 (c) “Base period employer” means an employing unit who paid wages to an
18 individual during the base period of the individual for covered employment.

19 (d) “Benefit year” means a 1–year period that begins:

20 (1) on the 1st day of the 1st week for which an individual first files a claim
21 for benefits; or

22 (2) if an individual already has had a benefit year, on the 1st day of the 1st
23 week for which the individual files a claim for benefits after the termination of the
24 preceding benefit year.

25 (e) “Benefits” means the money that is payable under this title to an individual
26 who is unemployed.

27 (f) “Board of Appeals” means the Board of Appeals of the Maryland Department
28 of Labor established under § 8–5A–01 of this title.

29 (g) “Calendar quarter” means the period of 3 consecutive calendar months ending
30 on March 31, June 30, September 30, or December 31, except as otherwise provided by the
31 Secretary by regulation.

32 (h) “Child support” means an obligation that is enforced under a plan that:

1 (1) is described in § 454 of the Social Security Act; and

2 (2) has been approved by the United States Secretary of Health and
3 Human Services under Part D of Title IV of the Social Security Act.

4 (i) “Child support enforcement unit” means a unit of a state or political
5 subdivision of a state that operates under a plan that:

6 (1) is described in § 454 of the Social Security Act; and

7 (2) has been approved by the United States Secretary of Health and
8 Human Services under Part D of Title IV of the Social Security Act.

9 **(I-1) (1) “CLAIM INFORMATION” MEANS INFORMATION ABOUT:**

10 **(I) WHETHER AN INDIVIDUAL IS RECEIVING, HAS RECEIVED, OR**
11 **HAS APPLIED FOR UNEMPLOYMENT INSURANCE;**

12 **(II) THE AMOUNT OF COMPENSATION THE INDIVIDUAL IS**
13 **RECEIVING OR IS ENTITLED TO RECEIVE; AND**

14 **(III) THE INDIVIDUAL’S CURRENT OR LAST KNOWN HOME**
15 **ADDRESS.**

16 **(2) FOR PURPOSES OF THE DISCLOSURE OF INFORMATION TO A**
17 **REQUESTING AGENCY RELATED TO AN INCOME AND ELIGIBILITY VERIFICATION**
18 **SYSTEM DESCRIBED IN 20 C.F.R. PART 603, “CLAIM INFORMATION” INCLUDES:**

19 **(I) WHETHER THE INDIVIDUAL HAS REFUSED AN OFFER OF**
20 **WORK AND, IF SO, A DESCRIPTION OF THE JOB OFFERED INCLUDING THE TERMS,**
21 **CONDITIONS, AND RATE OF PAY; AND**

22 **(II) ANY OTHER INFORMATION CONTAINED IN THE RECORDS OF**
23 **THE DEPARTMENT THAT IS NEEDED BY THE REQUESTING AGENCY TO VERIFY**
24 **ELIGIBILITY FOR, AND THE AMOUNT OF, BENEFITS.**

25 (j) “Claimant” means an individual who submits a claim for benefits.

26 (j-1) “Claims examiner” means an individual appointed by the Secretary who
27 makes determinations or redeterminations of claims under Subtitle 8 of this title.

28 **(J-2) (1) “CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION”**
29 **MEANS ANY UNEMPLOYMENT INSURANCE INFORMATION IN THE RECORDS OF THE**
30 **DEPARTMENT THAT:**

1 (I) REVEALS THE NAME OF OR OTHER IDENTIFYING
2 INFORMATION ABOUT AN INDIVIDUAL;

3 (II) REVEALS THE NAME OF OR OTHER IDENTIFYING
4 INFORMATION ABOUT A PAST OR PRESENT EMPLOYER OR EMPLOYING UNIT; OR

5 (III) COULD FORESEEABLY BE COMBINED WITH OTHER
6 PUBLICLY AVAILABLE INFORMATION TO REVEAL IDENTIFYING INFORMATION
7 ABOUT AN INDIVIDUAL, EMPLOYER, OR EMPLOYING UNIT.

8 (2) "CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION"
9 INCLUDES:

10 (I) CLAIM INFORMATION; AND

11 (II) WAGE INFORMATION.

12 (k) "Contributions" means money required to be paid to the Unemployment
13 Insurance Fund under § 8-607 of this title.

14 (l) "Covered employment" means work that an individual performs for an
15 employing unit that is the basis for benefits.

16 (m) "Department" means the Maryland Department of Labor.

17 (m-1) "Determination" means a decision made by or on behalf of the Secretary under
18 this title.

19 (n) (1) "Educational institution" means an institution that offers participants,
20 students, or trainees an organized course of study or training that is academic, technical,
21 trade-oriented, or preparatory for gainful employment in a recognized occupation.

22 (2) "Educational institution" includes an institution of higher education.

23 (o) "Employer" means a person or governmental entity who employs at least 1
24 individual within the State.

25 (p) "Employing unit" means:

26 (1) an employer that has at least 1 employee engaged in covered
27 employment for at least part of a day;

28 (2) an employer that has elected to become subject to this title under §
29 8-203 of this title; or

1 (3) an employer that is not otherwise subject to this title but that:

2 (i) within the current or preceding calendar year, is liable for any
3 federal tax against which credit may be taken for contributions required to be paid into a
4 State unemployment fund; or

5 (ii) as a condition for approval for full credit of contributions against
6 the tax imposed by the Federal Unemployment Tax Act, is required by that Act to be an
7 employing unit.

8 (q) “Governmental entity” means:

9 (1) a governmental unit as defined in § 1–101 of this article; or

10 (2) an instrumentality of:

11 (i) 1 or more states;

12 (ii) 1 or more political subdivisions of a state; or

13 (iii) 1 or more states and political subdivisions of states.

14 (q–1) “Hearing examiner” means an individual appointed under § 8–502 of this title
15 who is authorized to conduct hearings and issue decisions in cases appealed to the Lower
16 Appeals Division.

17 (r) “Hospital” has the meaning stated in § 19–301 of the Health – General Article.

18 (s) (1) “Institution of higher education” means an educational institution that:

19 (i) is a public or other nonprofit institution;

20 (ii) is authorized to provide in the State a program of education
21 beyond high school; and

22 (iii) admits as regular students only individuals with a certificate of
23 graduation from high school or a recognized equivalent certificate for:

24 1. training preparatory for employment in a recognized
25 occupation;

26 2. work for credit toward a bachelor’s degree; or

27 3. postgraduate or postdoctoral study.

28 (2) “Institution of higher education” includes each college and university in
29 the State.

1 (t) “Knowingly” means, except as otherwise provided in this title, having actual
2 knowledge, deliberate ignorance, or reckless disregard for the truth.

3 (t-1) “Last known address” includes a physical address or an electronic address.

4 (u) “Lower Appeals Division” means the Lower Appeals Division of the Maryland
5 Department of Labor.

6 (u-1) “Mailed or otherwise delivered” means to cause to be delivered by electronic
7 transmission or physical mailing.

8 (v) “Nonprofit organization” means an organization that is:

9 (1) described in § 501(c)(3) of the Internal Revenue Code; and

10 (2) exempt from income tax under § 501(a) of the Internal Revenue Code.

11 (w) “Part-time worker” means an individual:

12 (1) whose availability for work is restricted to part-time work; and

13 (2) who worked at least 20 hours per week in part-time work for a majority
14 of the weeks of work in the base period.

15 **(W-1) (1) “PERFORMANCE OF OFFICIAL DUTIES” MEANS:**

16 **(I) THE ADMINISTRATION OR ENFORCEMENT OF LAW,**
17 **INCLUDING RESEARCH RELATED TO THE LAW ADMINISTERED BY A PUBLIC**
18 **OFFICIAL; OR**

19 **(II) THE EXECUTION OF THE OFFICIAL RESPONSIBILITIES OF A**
20 **FEDERAL, STATE, OR LOCAL ELECTED OFFICIAL.**

21 **(2) WITH RESPECT TO A PUBLIC OFFICIAL DESCRIBED UNDER**
22 **SUBSECTION (W-3)(2), (3), (4), OR (5) OF THIS SECTION, “PERFORMANCE OF**
23 **OFFICIAL DUTIES” INCLUDES, IN ADDITION TO THE ACTIVITIES SET OUT IN**
24 **PARAGRAPH (1) OF THIS SUBSECTION, THE USE OF CONFIDENTIAL UNEMPLOYMENT**
25 **INSURANCE INFORMATION FOR THE FOLLOWING LIMITED PURPOSES:**

26 **(I) STATE AND LOCAL PERFORMANCE ACCOUNTABILITY**
27 **UNDER THE FEDERAL WORKFORCE INNOVATION AND OPPORTUNITY ACT,**
28 **INCLUDING ELIGIBLE TRAINING PROVIDER PERFORMANCE ACCOUNTABILITY**
29 **UNDER §§ 116(D) AND 122;**

1 **(II) TO MEET THE REQUIREMENTS OF DISCRETIONARY**
2 **FEDERAL GRANTS AWARDED UNDER THE FEDERAL WORKFORCE INNOVATION AND**
3 **OPPORTUNITY ACT; OR**

4 **(III) AS OTHERWISE REQUIRED FOR EDUCATION OR WORKFORCE**
5 **TRAINING PROGRAM PERFORMANCE ACCOUNTABILITY AND REPORTING UNDER**
6 **FEDERAL OR STATE LAW.**

7 **(3) FOR PURPOSES OF PARAGRAPH (1)(II) OF THIS SUBSECTION,**
8 **“PERFORMANCE OF OFFICIAL DUTIES” DOES NOT INCLUDE THE SOLICITATION OF**
9 **CONTRIBUTIONS OR EXPENDITURES TO OR ON BEHALF OF A CANDIDATE FOR PUBLIC**
10 **OR POLITICAL OFFICE OR A POLITICAL PARTY.**

11 **(W-2) “PUBLIC DOMAIN INFORMATION” MEANS:**

12 **(1) INFORMATION ABOUT THE ORGANIZATION OF THE DEPARTMENT,**
13 **INCLUDING THE LOWER APPEALS DIVISION AND THE BOARD OF APPEALS;**

14 **(2) INFORMATION ABOUT APPLICABLE FEDERAL AND STATE LAWS,**
15 **RULES, REGULATIONS, AND INTERPRETATIONS OF THE LAWS, RULES, AND**
16 **REGULATIONS, INCLUDING STATEMENTS OF GENERAL POLICY AND**
17 **INTERPRETATIONS OF GENERAL APPLICABILITY; AND**

18 **(3) AN AGREEMENT OF ANY KIND OR NATURE, INCLUDING**
19 **INTERSTATE ARRANGEMENTS, RECIPROCAL AGREEMENTS, AND ANY AGREEMENT**
20 **WITH THE U.S. DEPARTMENT OF LABOR OR THE SECRETARY, RELATING TO THE**
21 **ADMINISTRATION OF THE UNEMPLOYMENT INSURANCE PROGRAM.**

22 **(W-3) “PUBLIC OFFICIAL” MEANS:**

23 **(1) AN OFFICIAL, AN AGENCY, OR A PUBLIC ENTITY WITHIN THE**
24 **EXECUTIVE BRANCH OF FEDERAL, STATE, OR LOCAL GOVERNMENT THAT HAS**
25 **RESPONSIBILITY FOR ADMINISTERING OR ENFORCING A LAW, OR AN ELECTED**
26 **OFFICIAL IN THE FEDERAL, STATE, OR LOCAL GOVERNMENT;**

27 **(2) PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS**
28 **ESTABLISHED AND GOVERNED UNDER THE LAWS OF THE STATE, INCLUDING:**

29 **(I) INSTITUTIONS THAT ARE PART OF THE EXECUTIVE BRANCH**
30 **OF STATE GOVERNMENT;**

1 **(II) INSTITUTIONS THAT ARE INDEPENDENT OF THE EXECUTIVE**
 2 **BRANCH OF STATE GOVERNMENT IN ACCORDANCE WITH 20 C.F.R. § 603.2(D)(2)(II);**
 3 **AND**

4 **(III) PUBLICLY GOVERNED AND FUNDED COMMUNITY AND**
 5 **TECHNICAL COLLEGES;**

6 **(3) PERFORMANCE ACCOUNTABILITY AND CUSTOMER INFORMATION**
 7 **AGENCIES DESIGNATED BY THE GOVERNOR TO BE RESPONSIBLE FOR**
 8 **COORDINATING THE ASSESSMENT OF STATE AND LOCAL EDUCATION OR**
 9 **WORKFORCE TRAINING PROGRAM PERFORMANCE OR EVALUATING EDUCATION OR**
 10 **WORKFORCE TRAINING PROVIDER PERFORMANCE;**

11 **(4) THE CHIEF ELECTED OFFICIAL OF A LOCAL AREA AS DEFINED IN §**
 12 **3(9) OF THE FEDERAL WORKFORCE INNOVATION AND OPPORTUNITY ACT; AND**

13 **(5) A STATE EDUCATIONAL AUTHORITY, AGENCY, OR INSTITUTION AS**
 14 **THOSE TERMS ARE USED IN THE FEDERAL FAMILY EDUCATIONAL RIGHTS AND**
 15 **PRIVACY ACT, TO THE EXTENT THAT THEY ARE PUBLIC ENTITIES.**

16 **(W-4) “REQUESTING AGENCY” MEANS AN AGENCY DEFINED IN 20 C.F.R. §**
 17 **603.21.**

18 [(w-1)] **(W-5)** “Review determination” means the process by which the
 19 Department conducts an internal review of a determination made under Subtitle 6 of this
 20 title, independent of a determination or redetermination of a claim.

21 [(w-2)] **(W-6)** “Review determination decision” means the Secretary’s final
 22 determination under Subtitle 6 of this title for which a right to a review determination is
 23 available that:

24 (1) is issued in accordance with § 8–604 of this title; and

25 (2) may be appealed in accordance with § 8–605 of this title.

26 (x) “Secretary” means the Secretary of Labor.

27 (x-1) “Send” means to cause to be delivered by electronic transmission or physical
 28 mailing.

29 (y) (1) “State” has the meaning stated in § 1–101 of this article.

30 (2) “State” does not include a territory of the United States unless the
 31 territory enacted an unemployment insurance law that complies with the standards

1 adopted by the Secretary of Labor of the United States under the Federal Unemployment
2 Tax Act or Title III of the Social Security Act.

3 (z) "Tip" means compensation that:

4 (1) an individual receives from a customer of the individual's employer
5 while performing covered employment; and

6 (2) is included in a written statement provided to the employer under §
7 6053(a) of the Internal Revenue Code.

8 **(Z-1) (1) "UNEMPLOYMENT INSURANCE INFORMATION" MEANS**
9 **INFORMATION IN THE DEPARTMENT'S RECORDS PERTAINING TO THE**
10 **ADMINISTRATION OF THE UNEMPLOYMENT INSURANCE PROGRAM, INCLUDING**
11 **INFORMATION OBTAINED BY THE DEPARTMENT FROM CLAIMANTS AND EMPLOYERS**
12 **IN ACCORDANCE WITH THIS TITLE.**

13 **(2) "UNEMPLOYMENT INSURANCE INFORMATION" INCLUDES STATE**
14 **WAGE REPORTS COLLECTED UNDER AN INCOME AND ELIGIBILITY VERIFICATION**
15 **SYSTEM IN ACCORDANCE WITH 42 U.S.C. § 1320B-7 THAT ARE OBTAINED BY THE**
16 **DEPARTMENT FOR DETERMINING UNEMPLOYMENT INSURANCE MONETARY**
17 **ELIGIBILITY OR ARE DOWNLOADED TO THE DEPARTMENT'S FILES AS A RESULT OF A**
18 **CROSSMATCH BUT DOES NOT OTHERWISE INCLUDE THOSE WAGE REPORTS.**

19 **(3) "UNEMPLOYMENT INSURANCE INFORMATION" DOES NOT**
20 **INCLUDE:**

21 **(I) INFORMATION IN THE STATE'S DIRECTORY OF NEW HIRES,**
22 **UNLESS THE INFORMATION HAS BEEN DISCLOSED TO THE DEPARTMENT FOR USE IN**
23 **THE UNEMPLOYMENT INSURANCE PROGRAM; OR**

24 **(II) THE PERSONNEL OR FISCAL INFORMATION OF THE**
25 **DEPARTMENT.**

26 **(Z-2) "WAGE INFORMATION" MEANS INFORMATION IN THE RECORDS OF THE**
27 **DEPARTMENT ABOUT:**

28 **(1) THE WAGES PAID TO AN INDIVIDUAL;**

29 **(2) THE SOCIAL SECURITY NUMBER OF THE INDIVIDUAL; AND**

30 **(3) THE NAME, ADDRESS, STATE, AND FEDERAL EMPLOYER**
31 **IDENTIFICATION NUMBER OF THE EMPLOYER WHO PAID WAGES TO THE INDIVIDUAL.**

1 (aa) (1) "Wages" means all compensation for personal services except as
2 provided in paragraph (3) of this subsection.

3 (2) "Wages" includes:

4 (i) a bonus;

5 (ii) a commission;

6 (iii) a tip; and

7 (iv) the cash value of all compensation in any medium other than
8 cash.

9 (3) "Wages" does not include:

10 (i) the amount of any payment made to or on behalf of an employee
11 or any dependent of an employee under a plan or system established by an employing unit
12 that provides for employees generally or for their dependents or for a class of employees
13 and their dependents on account of:

14 1. retirement;

15 2. sickness or accident disability payments under a workers'
16 compensation law;

17 3. medical or hospitalization expenses in connection with
18 sickness or accident disability;

19 4. a cafeteria plan as defined in 26 U.S.C. § 125, if the
20 payments would not be treated as wages outside a cafeteria plan;

21 5. dependent care assistance to the extent that the
22 assistance payments would be excludable from gross income under the provisions of 26
23 U.S.C. § 127 or § 129; or

24 6. death;

25 (ii) any amount that an employing unit pays for insurance or an
26 annuity or into a fund to provide for a payment described in item (i) of this paragraph;

27 (iii) any payment on account of sickness or accident disability or
28 medical or hospitalization expenses in connection with sickness or accident disability made
29 by the employing unit to or on behalf of an employee at least 6 calendar months after the
30 last calendar month in which the employee worked for the employing unit;

1 (iv) any payment made to or on behalf of an employee or beneficiary
2 of the employee:

3 1. from or to a trust exempt from tax under § 401(a) of the
4 Internal Revenue Code at the time of the payment, unless the payment is made to an
5 employee of the trust as compensation for services rendered as an employee and not as
6 beneficiary of the trust; or

7 2. under or to an annuity plan that, at the time of payment,
8 meets the requirements of § 401(a)(3) through (6) of the Internal Revenue Code;

9 (v) with respect to compensation paid to an employee for domestic
10 service in a private home of the employing unit or for agricultural labor, the payment by
11 an employing unit without deduction of the tax imposed on an employee under § 3101 of
12 the Internal Revenue Code;

13 (vi) any payment required from an employee under a state
14 unemployment insurance law;

15 (vii) compensation paid in any medium other than cash to an
16 employee for service not in the course of the trade or business of the employing unit;

17 (viii) any payment other than vacation or sick pay made to an
18 employee after the month in which the employee becomes 65 years old if the employee did
19 not work for the employing unit in the period for which the payment is made;

20 (ix) any payment, including an amount paid into a fund to provide
21 for any payment by an employing unit to or on behalf of an employee under a plan or system
22 that an employing unit establishes that provides for employees of the employing unit
23 generally or a class or group of employees to supplement unemployment benefits;

24 (x) any payment to an individual as compensation for serving or
25 being called to serve on a jury; or

26 (xi) any payment to an individual as allowance or reimbursement for
27 travel or other expenses incurred on the business of the employer up to the amount of
28 expenses actually incurred and accounted for by the individual to the employer.

29 (bb) "Week" means a period of 7 consecutive days, as the Secretary sets by
30 regulation.

31 8–110.

32 (a) **[On] SUBJECT TO FEDERAL LAW, INCLUDING 20 C.F.R. PART 603, ON**
33 request and for purposes consistent with Chapter 65 of the Acts of the General Assembly
34 of 2021, the Department shall provide to the chief elected official of a county demographic

1 data and the addresses, occupations, and last known employers of unemployment
2 insurance recipients who live in the county of the chief elected official.

3 (b) **[A] SUBJECT TO FEDERAL LAW, INCLUDING 20 C.F.R. PART 603**, A chief
4 elected official of a county may:

5 (1) share the information provided to the chief elected official under
6 subsection (a) of this section with the governing body of the county; and

7 (2) request information under subsection (a) of this section on behalf of a
8 political subdivision within the county and provide the information to the political
9 subdivision.

10 (c) The Secretary may adopt regulations to carry out this section, including
11 regulations that:

12 (1) establish the circumstances under which the names of unemployment
13 insurance recipients may be included in the information provided under subsection (a) of
14 this section; and

15 (2) are necessary to protect the personally identifiable information of
16 unemployment insurance recipients.

17 **8-111.**

18 (A) **FOR PURPOSES OF THIS SECTION, "FEDERAL LAW" MEANS THE**
19 **FEDERAL LAW GOVERNING THE UNEMPLOYMENT INSURANCE PROGRAM,**
20 **INCLUDING THE SOCIAL SECURITY ACT, THE FEDERAL UNEMPLOYMENT TAX ACT,**
21 **AND RELATED REGULATIONS PROMULGATED BY THE U.S. DEPARTMENT OF LABOR,**
22 **INCLUDING 20 C.F.R. PART 603.**

23 (B) **THE CONFIDENTIALITY PROVISIONS OF THIS TITLE SHALL BE**
24 **INTERPRETED IN A MANNER THAT ENSURES COMPLIANCE WITH FEDERAL LAW.**

25 (C) **EXCEPT AS OTHERWISE PROVIDED UNDER FEDERAL OR STATE LAW,**
26 **ANY UNEMPLOYMENT INSURANCE INFORMATION IN THE DEPARTMENT'S RECORDS**
27 **THAT REVEALS THE NAME OR OTHER IDENTIFYING INFORMATION ABOUT AN**
28 **INDIVIDUAL OR A PAST OR PRESENT EMPLOYER OR EMPLOYING UNIT, OR THAT**
29 **COULD FORESEEABLY BE COMBINED WITH OTHER PUBLICLY AVAILABLE**
30 **INFORMATION TO REVEAL ANY SUCH INFORMATION, IS CONFIDENTIAL AND MAY NOT**
31 **BE DISCLOSED.**

32 (D) **THE CONFIDENTIALITY PROVISIONS OF THIS TITLE DO NOT APPLY TO:**

1 **(1) THE DISCLOSURE OF INFORMATION THAT IS NECESSARY FOR THE**
2 **PROPER ADMINISTRATION OF THE UNEMPLOYMENT INSURANCE PROGRAM,**
3 **INCLUDING THE DISCLOSURE OF INFORMATION TO A CLAIMANT AND EMPLOYER**
4 **RELATED TO A CLAIM FOR BENEFITS INVOLVING THAT CLAIMANT AND THAT**
5 **EMPLOYER;**

6 **(2) PUBLIC DOMAIN INFORMATION; OR**

7 **(3) INFORMATION COLLECTED EXCLUSIVELY FOR STATISTICAL**
8 **PURPOSES UNDER A COOPERATIVE AGREEMENT WITH THE U.S. BUREAU OF LABOR**
9 **STATISTICS, ANY OTHER INFORMATION TRANSFERRED TO THE U.S. BUREAU OF**
10 **LABOR STATISTICS UNDER AN AGREEMENT, OR THE U.S. BUREAU OF LABOR**
11 **STATISTICS' DISCLOSURE OR USE OF SUCH INFORMATION.**

12 **(E) THE SECRETARY SHALL DISCLOSE CONFIDENTIAL UNEMPLOYMENT**
13 **INSURANCE INFORMATION:**

14 **(1) AS NECESSARY FOR THE PROPER ADMINISTRATION OF THE**
15 **UNEMPLOYMENT INSURANCE PROGRAM, INCLUDING DISCLOSING INFORMATION TO**
16 **A CLAIMANT AND EMPLOYER RELATED TO A CLAIM FOR BENEFITS INVOLVING THAT**
17 **CLAIMANT AND THAT EMPLOYER;**

18 **(2) AS OTHERWISE REQUIRED UNDER FEDERAL LAW, INCLUDING 20**
19 **C.F.R. §§ 603.6(B) AND 603.22; AND**

20 **(3) AS OTHERWISE PROVIDED UNDER THIS TITLE IN ACCORDANCE**
21 **WITH FEDERAL LAW.**

22 **(F) TO THE EXTENT NECESSARY FOR PROPER PRESENTATION OF A CLAIM,**
23 **THE SECRETARY, THE LOWER APPEALS DIVISION, AND THE BOARD OF APPEALS**
24 **SHALL PROVIDE CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION TO A**
25 **CLAIMANT OR AN EMPLOYER AT A HEARING BEFORE A HEARING EXAMINER, A**
26 **SPECIAL EXAMINER, THE SECRETARY, OR THE BOARD OF APPEALS PERTAINING TO**
27 **THAT CLAIMANT AND THAT EMPLOYER.**

28 **(G) AT THE SECRETARY'S DISCRETION, AND IF THE DISCLOSURE DOES NOT**
29 **INTERFERE WITH THE EFFICIENT ADMINISTRATION OF THE UNEMPLOYMENT**
30 **INSURANCE PROGRAM, THE SECRETARY MAY AUTHORIZE THE FOLLOWING**
31 **DISCLOSURES OF CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION IN**
32 **ACCORDANCE WITH FEDERAL LAW:**

1 **(1) FOR PURPOSES NOT RELATED TO THE UNEMPLOYMENT**
2 **INSURANCE PROGRAM, INFORMATION ABOUT AN INDIVIDUAL TO THE INDIVIDUAL,**
3 **OR ABOUT AN EMPLOYER TO THE EMPLOYER;**

4 **(2) FINAL DECISIONS, AND RECORDS OF HEARINGS THAT LED TO**
5 **FINAL DECISIONS, OF THE LOWER APPEALS DIVISION AND THE BOARD OF**
6 **APPEALS, IF ALL SOCIAL SECURITY NUMBERS HAVE BEEN REMOVED;**

7 **(3) TO A PUBLIC OFFICIAL FOR USE IN THE PERFORMANCE OF**
8 **OFFICIAL DUTIES;**

9 **(4) TO AN AGENT OR CONTRACTOR OF A PUBLIC OFFICIAL FOR USE IN**
10 **THE PERFORMANCE OF THE PUBLIC OFFICIAL'S OFFICIAL DUTIES, IF THE PUBLIC**
11 **OFFICIAL RETAINS RESPONSIBILITY FOR THE USES OF THE CONFIDENTIAL**
12 **UNEMPLOYMENT INSURANCE INFORMATION BY THE AGENT OR CONTRACTOR;**

13 **(5) TO AN AUTHORIZED REPRESENTATIVE, OTHER THAN AN**
14 **ATTORNEY, OF A CLAIMANT OR AN EMPLOYER IF THE AUTHORIZED**
15 **REPRESENTATIVE PRESENTS A WRITTEN RELEASE FROM THE CLAIMANT OR**
16 **EMPLOYER BEING REPRESENTED;**

17 **(6) TO AN ELECTED OFFICIAL PERFORMING CONSTITUENT SERVICES,**
18 **IF THE OFFICIAL PRESENTS REASONABLE EVIDENCE, SUCH AS A LETTER FROM THE**
19 **INDIVIDUAL OR EMPLOYER REQUESTING ASSISTANCE OR A WRITTEN RECORD OF A**
20 **TELEPHONE REQUEST FROM THE INDIVIDUAL OR EMPLOYER, THAT THE INDIVIDUAL**
21 **OR EMPLOYER HAS AUTHORIZED THE DISCLOSURE;**

22 **(7) TO AN ATTORNEY WHO IS REPRESENTING A CLAIMANT OR AN**
23 **EMPLOYER IN AN UNEMPLOYMENT INSURANCE CLAIM; AND**

24 **(8) TO A THIRD PARTY THAT IS NOT ACTING AS AN AGENT OR THAT**
25 **RECEIVES CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION FOLLOWING**
26 **AN INFORMED CONSENT DISCLOSURE ON AN ONGOING BASIS, EVEN IF THE**
27 **INDIVIDUAL OR ENTITY IS AN AGENT, BUT ONLY IF:**

28 **(I) THE THIRD PARTY OBTAINS A WRITTEN RELEASE FROM THE**
29 **INDIVIDUAL OR EMPLOYER TO WHOM THE CONFIDENTIAL UNEMPLOYMENT**
30 **INSURANCE INFORMATION PERTAINS;**

31 **(II) THE WRITTEN RELEASE IS SIGNED AND INCLUDES:**

32 1. **A STATEMENT SPECIFICALLY IDENTIFYING:**

1 **A. THE CONFIDENTIAL UNEMPLOYMENT INSURANCE**
2 **INFORMATION TO BE DISCLOSED;**

3 **B. THAT STATE GOVERNMENT FILES WILL BE ACCESSED**
4 **TO OBTAIN THE CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION; AND**

5 **C. THE SPECIFIC PURPOSE FOR WHICH THE**
6 **CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION IS SOUGHT; AND**

7 **2. A STATEMENT THAT CONFIDENTIAL UNEMPLOYMENT**
8 **INSURANCE INFORMATION OBTAINED UNDER THE RELEASE WILL BE USED ONLY**
9 **FOR THAT PURPOSE AND IDENTIFYING ALL PARTIES WHO MAY RECEIVE THE**
10 **CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION DISCLOSED; AND**

11 **(III) THE PURPOSE SPECIFIED IN THE RELEASE IS LIMITED TO**
12 **PROVIDING A SERVICE OR BENEFIT TO THE INDIVIDUAL SIGNING THE RELEASE**
13 **THAT THE INDIVIDUAL EXPECTS TO RECEIVE AS A RESULT OF SIGNING THE RELEASE**
14 **OR CARRYING OUT ADMINISTRATION OR EVALUATION OF A PUBLIC PROGRAM TO**
15 **WHICH THE RELEASE PERTAINS.**

16 **(H) (1) THE SECRETARY MAY DISCLOSE CONFIDENTIAL UNEMPLOYMENT**
17 **INSURANCE INFORMATION IN RESPONSE TO A SUBPOENA ISSUED BY A LOCAL,**
18 **STATE, OR FEDERAL GOVERNMENT OFFICIAL, OTHER THAN A CLERK OF COURT ON**
19 **BEHALF OF A LITIGANT, WITH AUTHORITY TO OBTAIN THE CONFIDENTIAL**
20 **UNEMPLOYMENT INSURANCE INFORMATION BY SUBPOENA UNDER FEDERAL OR**
21 **STATE LAW.**

22 **(2) THE SECRETARY MAY CHOOSE TO PROVIDE THE CONFIDENTIAL**
23 **UNEMPLOYMENT INSURANCE INFORMATION TO AN OFFICIAL UNDER THIS**
24 **SUBSECTION WITHOUT THE ACTUAL ISSUANCE OF A SUBPOENA.**

25 **(I) CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION**
26 **DISCLOSED TO A THIRD PARTY THAT IS NOT ACTING AS AN AGENT OR THAT RECEIVES**
27 **CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION FOLLOWING AN**
28 **INFORMED CONSENT DISCLOSURE ON AN ONGOING BASIS, EVEN IF THE INDIVIDUAL**
29 **OR ENTITY IS AN AGENT, TO A PUBLIC OFFICIAL, TO AN AGENT OR CONTRACTOR OF**
30 **A PUBLIC OFFICIAL, TO A REQUESTING AGENCY AND AS REQUIRED UNDER 20 C.F.R.**
31 **§ 603.6(B)(1) THROUGH (4), (6), AND (7)(I), SHALL BE SAFEGUARDED AGAINST**
32 **UNAUTHORIZED ACCESS AS FOLLOWS:**

33 **(1) THE RECIPIENT SHALL USE THE CONFIDENTIAL UNEMPLOYMENT**
34 **INSURANCE INFORMATION EXCLUSIVELY FOR THE PURPOSES FOR WHICH IT WAS**

1 DISCLOSED AND CONSISTENT WITH A WRITTEN AGREEMENT WITH THE
2 DEPARTMENT;

3 (2) THE RECIPIENT SHALL STORE AND PROCESS THE CONFIDENTIAL
4 UNEMPLOYMENT INSURANCE INFORMATION ELECTRONICALLY AND PHYSICALLY IN
5 SUCH A WAY TO ENSURE THAT IT IS SECURE FROM ACCESS BY UNAUTHORIZED
6 PERSONS BY ANY MEANS;

7 (3) THE RECIPIENT SHALL UNDERTAKE PRECAUTIONS TO ENSURE
8 THAT ONLY AUTHORIZED PERSONNEL, INCLUDING EMPLOYEES, AGENTS, AND
9 CONTRACTORS, ARE GIVEN ACCESS TO DISCLOSED CONFIDENTIAL UNEMPLOYMENT
10 INSURANCE INFORMATION STORED IN COMPUTER SYSTEMS;

11 (4) THE RECIPIENT SHALL INSTRUCT ALL PERSONNEL, INCLUDING
12 ANY EMPLOYEES, AGENTS, AND CONTRACTORS, HAVING ACCESS TO THE DISCLOSED
13 CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION ABOUT THE
14 CONFIDENTIAL NATURE OF THE INFORMATION, THE CONFIDENTIALITY
15 REQUIREMENTS OF FEDERAL AND STATE LAW, AND THE SANCTIONS UNDER STATE
16 LAW FOR UNAUTHORIZED DISCLOSURE OF THE CONFIDENTIAL UNEMPLOYMENT
17 INSURANCE INFORMATION;

18 (5) THE RECIPIENT SHALL SIGN AN ACKNOWLEDGMENT THAT ALL
19 PERSONNEL, INCLUDING ANY EMPLOYEES, AGENTS, AND CONTRACTORS, HAVING
20 ACCESS TO THE CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION HAVE
21 BEEN INSTRUCTED IN ACCORDANCE WITH THIS SECTION, WILL ADHERE TO THE
22 STATE'S CONFIDENTIALITY REQUIREMENTS AND PROCEDURES, AND AGREE TO
23 REPORT ANY INFRACTION OF THESE REQUIREMENTS TO THE DEPARTMENT FULLY
24 AND PROMPTLY;

25 (6) (I) THE RECIPIENT SHALL DISPOSE OF CONFIDENTIAL
26 UNEMPLOYMENT INSURANCE INFORMATION DISCLOSED OR OBTAINED, AND ANY
27 COPIES OF THE DISCLOSED OR OBTAINED CONFIDENTIAL UNEMPLOYMENT
28 INSURANCE INFORMATION MADE BY THE RECIPIENT, INCLUDING BY EMPLOYEES,
29 AGENTS, AND CONTRACTORS, AFTER THE PURPOSE FOR WHICH THE CONFIDENTIAL
30 UNEMPLOYMENT INSURANCE INFORMATION IS DISCLOSED IS SERVED, EXCEPT FOR
31 DISCLOSED CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION POSSESSED
32 BY ANY COURT; AND

33 (II) THE CONFIDENTIAL UNEMPLOYMENT INSURANCE
34 INFORMATION DISCLOSED MAY NOT BE RETAINED WITH PERSONAL IDENTIFIERS
35 FOR LONGER THAN THE PERIOD OF TIME AS THE DEPARTMENT DEEMS
36 APPROPRIATE ON A CASE-BY-CASE BASIS;

1 **(7) THE RECIPIENT SHALL MAINTAIN A SYSTEM SUFFICIENT TO**
2 **ALLOW AN AUDIT OF COMPLIANCE BY THE DEPARTMENT; AND**

3 **(8) THE RECIPIENT, AND ANY OF ITS EMPLOYEES, AGENTS, AND**
4 **CONTRACTORS, MAY NOT REDISCLOSE CONFIDENTIAL UNEMPLOYMENT INSURANCE**
5 **INFORMATION EXCEPT AS SPECIFICALLY AUTHORIZED BY THE SECRETARY IN**
6 **ACCORDANCE WITH A WRITTEN AGREEMENT.**

7 **(J) IN ACCORDANCE WITH FEDERAL LAW, THE SECRETARY MAY AUTHORIZE**
8 **A RECIPIENT OF CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION UNDER**
9 **20 C.F.R. § 603.6(B)(1), (2), (3), (4), (6), OR (7)(I), 20 C.F.R. § 603.22, OR**
10 **SUBSECTION (G)(3), (4), OR (8) OF THIS SECTION TO REDISCLOSE THE**
11 **CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION ONLY:**

12 **(1) TO THE INDIVIDUAL OR EMPLOYER WHO IS THE SUBJECT OF THE**
13 **CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION;**

14 **(2) TO AN ATTORNEY OR OTHER DULY AUTHORIZED AGENT**
15 **REPRESENTING THE INDIVIDUAL OR EMPLOYER;**

16 **(3) IN ANY ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDINGS FOR**
17 **OR ON BEHALF OF A RECIPIENT AGENCY OR ENTITY;**

18 **(4) IN RESPONSE TO A SUBPOENA ONLY AS PROVIDED IN 20 C.F.R. §**
19 **603.7;**

20 **(5) TO AN AGENT OR CONTRACTOR OF A PUBLIC OFFICIAL IF:**

21 **(I) THE PERSON REDISCLOSING IS A PUBLIC OFFICIAL;**

22 **(II) THE PUBLIC OFFICIAL RETAINS RESPONSIBILITY FOR THE**
23 **USES OF THE CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION BY THE**
24 **AGENT OR CONTRACTOR; AND**

25 **(III) THE CONFIDENTIAL UNEMPLOYMENT INSURANCE**
26 **INFORMATION REDISCLOSED IS SUBJECT TO THE SAFEGUARDS IN SUBSECTION (I)**
27 **OF THIS SECTION;**

28 **(6) FROM ONE PUBLIC OFFICIAL TO ANOTHER IF THE INFORMATION**
29 **REDISCLOSED IS SUBJECT TO THE SAFEGUARDS IN SUBSECTION (I) OF THIS**
30 **SECTION;**

31 **(7) TO ANY AGENT OF A CHILD SUPPORT ENFORCEMENT UNIT IF:**

1 **(I) THE AGENT IS UNDER CONTRACT WITH THE UNIT FOR THE**
2 **PURPOSES OF ESTABLISHING AND COLLECTING CHILD SUPPORT OBLIGATIONS**
3 **FROM AND LOCATING INDIVIDUALS OWING SUCH OBLIGATIONS; AND**

4 **(II) THE AGENT COMPLIES WITH THE SAFEGUARDS IN**
5 **SUBSECTION (I) OF THIS SECTION; AND**

6 **(8) WHEN SPECIFICALLY AUTHORIZED BY A WRITTEN RELEASE THAT**
7 **MEETS THE REQUIREMENTS OF SUBSECTION (G)(8) OF THIS SECTION.**

8 **(K) ANY EMPLOYEE OR FORMER EMPLOYEE OF THE DEPARTMENT, AND ANY**
9 **RECIPIENT OF CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION UNDER**
10 **SUBSECTION (G) OF THIS SECTION, INCLUDING ANY EMPLOYEE, AGENT, OR**
11 **CONTRACTOR OF THE RECIPIENT, WHO DISCLOSES CONFIDENTIAL UNEMPLOYMENT**
12 **INSURANCE INFORMATION IN VIOLATION OF THIS TITLE IS SUBJECT TO PENALTIES**
13 **UNDER SUBTITLE 13 OF THIS TITLE.**

14 8–625.

15 [(d) (1) Except as provided in paragraph (2) of this subsection, the Secretary
16 and Board of Appeals may not publish or allow public inspection of information obtained
17 under this section in any manner that reveals the identity of the employer except to public
18 employees in the performance of their public duties.

19 (2) (i) The Secretary and Board of Appeals may allow inspection of
20 information obtained under this section to any agent of a child support enforcement unit if
21 the agent is under contract with the unit for the purposes of establishing and collecting
22 child support obligations from and locating individuals owing such obligations.

23 (ii) The agent of the unit shall comply with safeguards established
24 by the United States Department of Labor and the Secretary and is subject to the penalties
25 under § 8–1305(c) of this title.

26 (3) To the extent necessary for proper presentation of a claim, the Secretary
27 or Board of Appeals shall provide information from the records to a claimant at a hearing
28 before a special examiner, hearing examiner, the Secretary, or the Board of Appeals.]

29 [8–811.

30 (a) In this section, “claim information” means information regarding:

31 (1) whether an individual is receiving, has received, or has applied for
32 benefits under this title;

1 (2) the amount of benefits an individual is receiving or is entitled to receive;

2 (3) an individual's current or most recent home address;

3 (4) whether an individual has refused an offer of work and if so, a
4 description of the job offered, including terms, conditions, and rate of pay; and

5 (5) any other information that is needed by the child support enforcement
6 unit to verify eligibility for and the amount of benefits.

7 (b) If an agent of a child support enforcement unit is under contract with the child
8 support enforcement unit for the purposes of establishing and collecting child support
9 obligations from and locating individuals owing such obligations, the Secretary and the
10 Board of Appeals may allow the agent to inspect claim information.

11 (c) The agent of the child support enforcement unit shall comply with safeguards
12 established by the United States Department of Labor and the Secretary and is subject to
13 the penalties under § 8-1305(c) of this title.]

14 8-1305.

15 (c) (1) An employing unit or officer or agent of an employing unit who violates
16 § 8-1303 of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine
17 not exceeding \$1,000 or imprisonment not exceeding 1 year or both.

18 (2) A person who violates § 8-5A-08(b) or (d) of this title is guilty of a
19 misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment
20 not exceeding 1 year or both.

21 (3) A person who violates § 8-1304 of this subtitle is guilty of a
22 misdemeanor for each day the violation continues and on conviction is subject to a fine not
23 exceeding \$1,000 or imprisonment not exceeding 1 year or both.

24 (4) An employee **OR FORMER EMPLOYEE** of the [Secretary or Board of
25 Appeals] **DEPARTMENT** who **IN THE COURSE OF EMPLOYMENT OR DUTY HAS OR HAD**
26 **ACCESS TO CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION**
27 **MAINTAINED BY THE DEPARTMENT AND WHO** violates [§ 8-625] **§ 8-111** of this title is
28 guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or
29 imprisonment not exceeding 1 year or both.

30 **(5) A PERSON WHO RECEIVES CONFIDENTIAL UNEMPLOYMENT**
31 **INSURANCE INFORMATION UNDER THIS TITLE AND WHO REDISCLOSES, WITHOUT**
32 **AUTHORIZATION, OR USES THE CONFIDENTIAL UNEMPLOYMENT INSURANCE**
33 **INFORMATION FOR A PURPOSE OTHER THAN THAT SPECIFIED IN THE PROVISION OF**
34 **LAW OR AGREEMENT AUTHORIZING THE USE OR DISCLOSURE OF THE**
35 **CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION IS GUILTY OF A**

1 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000
2 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.