



# **MSBA Bill Report 2A - Labor and Employment Law (2024.01.23)**

**January 23, 2024**

(2024.01.23)

[MD - HB419 Business Regulation - Automatic Tip Prompt Screen - Requirements](#)

Last Action: Text - First - Business Regulation - Automatic Tip Prompt Screen - Requirements  
(January 18, 2024)

Primary Sponsor: Delegate Mary A. Lehman (D)

Committee: Economic Matters (House)

Summary:

Requiring certain businesses that use a point-of-sale system that automatically prompts a customer to leave a tip to disclose to whom the tip will be allocated.

[MD - HB465 Workplace Fraud and Prevailing Wage - Violations - Penalties and Referrals](#)

Last Action: Text - First - Workplace Fraud and Prevailing Wage - Violations - Penalties and Referrals  
(January 22, 2024)

Primary Sponsor: Delegate Adrian Boafo (D)

Committee: Economic Matters (House)

Summary:

Establishing certain criminal penalties for employers knowingly failing to properly classify individuals as employees and contractors and subcontractors knowingly violating State prevailing wage laws; and requiring the Commissioner of Labor and Industry to refer to the Comptroller, certain State's Attorneys, the U.S. Department of Justice, the U.S. Department of Labor, and the U.S. Department of the Treasury certain complaints that allege a violation of certain tax laws under certain circumstances.

Cross-filed Bill: SB436

Statutes Amended:

17-227 Article - State Finance and Procurement  
3-909,

3-910 Article - Labor and Employment

[MD - SB413 Discrimination - Military Status - Prohibition](#)

Last Action: Hearing 2/08 at 1:00 p.m. (January 18, 2024)

Primary Sponsor: Senator Dawn Gile (D)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

**Date:** February 8, 2024

**Time:** 1:00pm (EST)

**Location:** East Miller Senate Building, Room 2, Annapolis, MD

(2024.01.23)

Summary:

Prohibiting discrimination based on military status with regard to public accommodation, housing, employment, financial transactions, education, insurance, the provision of public utility services, and State personnel actions.

Statutes Amended:

12-305,

12-503,

12-603,

12-702,

12-704 Article - Commercial Law

13-303,

2-206,

26-701,

26-703,

26-704 Article - Education

15-1A-22,

2-202 Article - Insurance

17-402,

17-402.1,

7-507 Article - Public Utilities

19-342,

19-355,

2-1001,

2-1002,

2-1003,

2-1004 Article - Health - General

20-101,

20-1103,

20-302,

20-304,

20-401,

20-402,

20-501,

20-601,

20-602,

20-603,

20-604,

20-605,  
20-606,  
20-610,  
20-702,  
20-704,  
20-705,  
20-707 Article - State Government

2-302 Article - State Personnel and Pensions

8-707 Article - Human Services

**MD - SB431 Workers' Compensation - Occupational Disease Presumption - Long COVID (Home of the Brave Act of 2024)**

Last Action: Text - First - Workers' Compensation - Occupational Disease Presumption - Long COVID (Home of the Brave Act of 2024) (January 19, 2024)

Primary Sponsor: Senator Jeff Waldstreicher (D)

Committee: Finance (Senate)

Summary:

Establishing that governmental essential workers are presumed to have an occupational disease that is compensable under workers' compensation law after being diagnosed with long COVID under certain circumstances; and applying the Act retroactively.

**MD - SB436 Workplace Fraud and Prevailing Wage - Violations - Penalties and Referrals**

Last Action: Hearing 2/15 at 1:00 p.m. (January 22, 2024)

Primary Sponsor: Senator Dawn Gile (D)

Committee: Finance (Senate)

Scheduled Hearing:

Finance (Senate)

**Date:** February 15, 2024

**Time:** 1:00pm (EST)

**Location:** East Miller Senate Building, Room 3, Annapolis, MD

Summary:

Establishing certain criminal penalties for employers knowingly failing to properly classify individuals as employees and contractors and subcontractors knowingly violating State prevailing wage laws; and requiring the Commissioner of Labor and Industry to refer to the Comptroller, certain State's Attorneys, the U.S. Department of Justice, the U.S. Department of Labor, and the U.S. Department of the Treasury certain complaints that allege a violation of certain tax laws under certain circumstances.

Cross-filed Bill: HB465

**MD - SB460 Unemployment Insurance - Benefits - Election Judges**

Last Action: Text - First - Unemployment Insurance - Benefits - Election Judges (January 22, 2024)

Primary Sponsor: Senator Cheryl C. Kagan (D)

Committee: Finance (Senate)

Summary:

Altering the definition of "wages" for purposes of State unemployment insurance law to exclude compensation received for serving as an election judge for a local board of elections in the State; and prohibiting an individual from being denied unemployment benefits for failure to meet certain requirements due to service as an election judge in the State.

Cross-filed Bill: HB261

Statutes Amended:

8-101,

8-907 Article - Labor and Employment

**MD - SB476 Workers' Compensation - Occupational Disease Presumptions - First Responders  
(Caring for Public Employees in the Safety Professions - CAPES Act)**

Last Action: Text - First - Workers' Compensation - Occupational Disease Presumptions - First Responders (Caring for Public Employees in the Safety Professions - CAPES Act) (January 22, 2024)

Primary Sponsor: President

Committee: Finance (Senate)

Summary:

Providing that certain firefighters, fire fighting instructors, rescue squad members, advanced life support unit members, and members of the Office of the State Fire Marshal who have thyroid, colon, or ovarian cancer are presumed, under certain circumstances, to have an occupational disease that was suffered in the line of duty and is compensable under workers' compensation law.

Statutes Amended:

9-503 Article - Labor and Employment

**MD - SB477 Time to Serve Act of 2024**

Last Action: Text - First - Time to Serve Act of 2024 (January 22, 2024)

Primary Sponsor: President

Committee: Budget and Taxation (Senate)

Summary:

(2024.01.23)

Increasing, from 15 to 30, the maximum number of days of disaster service leave for employees in the Executive Branch of State government; and increasing, from 15 to 30, the maximum number of days of paid leave the Secretary of Budget and Management may provide for uniformed services training or active uniformed services duty in a reserve unit of the armed forces or organized militia.

Statutes Amended:

9-1102,

9-1104 Article - State Personnel and Pensions

### **MD - SB478 Families Serve Act of 2024**

Last Action: Text - First - Families Serve Act of 2024 (January 22, 2024)

Primary Sponsor: President

Committee: Finance (Senate)

Summary:

Authorizing employers to grant a preference in hiring and promotion to spouses of eligible service members; and requiring the appointing authorities in the Executive Branch of State government to apply a credit of 10 points on any selection test for eligible military spouses.

### **MD - SB485 Family and Medical Leave Insurance Program - Modifications**

Last Action: Text - First - Family and Medical Leave Insurance Program - Modifications (January 23, 2024)

Primary Sponsor: Senator Antonio Hayes (D)

Committee: Finance (Senate)

Summary:

Modifying provisions of law governing application, administration, and enforcement of the Family and Medical Leave Insurance Program, including provisions related to the payment of contributions, the calculation of the average weekly wage, the submission of claims for benefits, the application of the Program to self-employed individuals, the satisfaction of Program requirements through private employer plans or insurance, and the use of contributions or other funding by the Secretary of Labor.

Statutes Amended:

8.3-101,

8.3-102,

8.3-201,

8.3-302,

8.3-403,

8.3-601,

8.3-701,

8.3-703,

8.3-705,  
8.3-903,  
8.3-905,  
8.3-906 Article - Labor and Employment