

SENATE BILL 696

K3, P4

4lr2148

By: **Senator Klausmeier**

Introduced and read first time: January 31, 2014

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Minimum Wage Rate – Payment and Adoption**

3 FOR the purpose of altering the amount of the State minimum wage rate; authorizing
4 employers to pay certain employees a certain training wage; providing that
5 employers may only pay certain employees a training wage for a certain period
6 of time; prohibiting a county from adopting a minimum wage law; providing for
7 the application of certain provisions of this Act; and generally relating to the
8 payment and adoption of minimum wage rates.

9 BY repealing and reenacting, with amendments,
10 Article – Labor and Employment
11 Section 3–413
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2013 Supplement)

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

16 **Article – Labor and Employment**

17 3–413.

18 (a) In this section, “employer” includes a governmental unit.

19 (b) Except as provided in **SUBSECTION (C) OF THIS SECTION OR § 3–414** of
20 this subtitle, each employer shall pay:

21 (1) to each employee who is subject to both the federal Act and this
22 subtitle, at least the greater of:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) the minimum wage for that employee under the federal Act;
2 or

3 (ii) a wage that equals a rate of [~~\$6.15~~] **\$8.25** per hour; and

4 (2) each other employee who is subject to this subtitle, at least:

5 (i) the greater of:

6 1. the highest minimum wage under the federal Act; or

7 2. a wage that equals a rate of [~~\$6.15~~] **\$8.25** per hour;
8 or

9 (ii) a training wage under regulations that the Commissioner
10 adopts that include the conditions and limitations authorized under the federal Fair
11 Labor Standards Amendments of 1989.

12 (C) (1) **THIS SUBSECTION APPLIES TO AN EMPLOYEE WHO:**

13 (I) **IS A FULL-TIME STUDENT; OR**

14 (II) **HAS NOT BEEN EMPLOYED PREVIOUSLY BY ANY**
15 **EMPLOYER.**

16 (2) **SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, AN**
17 **EMPLOYER MAY PAY AN EMPLOYEE A TRAINING WAGE THAT:**

18 (I) **IF THE EMPLOYEE IS NOT SUBJECT TO THE FEDERAL**
19 **ACT, EQUALS A RATE OF \$7.25 PER HOUR; OR**

20 (II) **EQUALS THE MINIMUM WAGE FOR THAT EMPLOYEE**
21 **UNDER THE FEDERAL ACT IF:**

22 1. **THE EMPLOYEE IS SUBJECT TO THE FEDERAL**
23 **ACT; AND**

24 2. **THE MINIMUM WAGE FOR THAT EMPLOYEE UNDER**
25 **THE FEDERAL ACT IS LESS THAN THE WAGE IN SUBSECTION (B)(1)(II) OF THIS**
26 **SECTION.**

27 (3) **IF THE EMPLOYEE WHO IS BEING PAID A TRAINING WAGE**
28 **UNDER PARAGRAPH (2) OF THIS SUBSECTION HAS NOT BEEN EMPLOYED**
29 **PREVIOUSLY BY ANY EMPLOYER, THE EMPLOYER MAY ONLY PAY THE TRAINING**
30 **WAGE FOR THE FIRST 6 MONTHS THAT THE EMPLOYEE IS EMPLOYED.**

1 **(D) (1) THIS SUBSECTION DOES NOT APPLY TO A MINIMUM WAGE LAW**
2 **ADOPTED BY A COUNTY BEFORE JANUARY 1, 2014.**

3 **(2) A COUNTY MAY NOT ADOPT A MINIMUM WAGE LAW.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 July 1, 2014.