

# HOUSE BILL 1476

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By: **Delegates Woorman, J. Lewis, Acevero, Fair, Feldmark, Hill, S. Johnson, R. Lewis, Lopez, Ruth, Spiegel, Taveras, Terrasa, White Holland, and Wims**  
Introduced and read first time: February 7, 2025  
Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Disclosure of Employee’s Immigration Status –**  
3 **Prohibition**

4 FOR the purpose of prohibiting an employer from disclosing or threatening to disclose an  
5 employee’s immigration status to a public body for the purpose of concealing an  
6 employer’s violation of certain labor, benefit, or tax laws; authorizing the  
7 Commissioner of Labor and Industry to investigate a violation of this Act on the  
8 Commissioner’s own initiative or on receipt of a written complaint; authorizing an  
9 alleged violator to request an administrative hearing; and generally relating to the  
10 disclosure of an employee’s immigration status.

11 BY adding to  
12 Article – Labor and Employment  
13 Section 3–106  
14 Annotated Code of Maryland  
15 (2016 Replacement Volume and 2024 Supplement)

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

18 **Article – Labor and Employment**  
19 **3–106.**

20 **(A) IN THIS SECTION, “PUBLIC BODY” MEANS:**

21 **(1) THE FEDERAL GOVERNMENT;**

22 **(2) THE STATE;**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



- 1           **(3) A POLITICAL SUBDIVISION OF THE STATE;**  
2           **(4) AN ENTITY CREATED BY THE GENERAL ASSEMBLY; OR**  
3           **(5) AN INSTRUMENTALITY OR UNIT OF THE FEDERAL GOVERNMENT,**  
4 **THE STATE, OR A POLITICAL SUBDIVISION OF THE STATE.**

5           **(B) AN EMPLOYER MAY NOT DISCLOSE OR THREATEN TO DISCLOSE TO A**  
6 **PUBLIC BODY AN EMPLOYEE'S IMMIGRATION STATUS FOR THE PURPOSE OF**  
7 **CONCEALING AN EMPLOYER'S VIOLATION OF:**

- 8           **(1) THE MARYLAND WAGE AND HOUR LAW;**  
9           **(2) THE MARYLAND WAGE PAYMENT AND COLLECTION LAW;**  
10          **(3) SUBTITLE 9 OF THIS TITLE;**  
11          **(4) THE MARYLAND HEALTHY WORKING FAMILIES ACT;**  
12          **(5) THE MARYLAND UNEMPLOYMENT INSURANCE LAW;**  
13          **(6) THE MARYLAND FAMILY AND MEDICAL LEAVE INSURANCE**  
14 **PROGRAM;**  
15          **(7) THE MARYLAND WORKERS' COMPENSATION ACT;**  
16          **(8) § 5-305 OR § 7-714 OF THE PUBLIC UTILITIES ARTICLE;**  
17          **(9) TITLE 17, SUBTITLE 2 OF THE STATE FINANCE AND**  
18 **PROCUREMENT ARTICLE;**  
19          **(10) TITLE 18 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;**  
20 **OR**  
21          **(11) TITLE 10 OF THE TAX – GENERAL ARTICLE.**

22          **(C) THE COMMISSIONER:**

23               **(1) MAY INVESTIGATE A VIOLATION OF THIS SECTION ON THE**  
24 **COMMISSIONER'S OWN INITIATIVE OR ON RECEIPT OF A WRITTEN COMPLAINT; AND**

1           **(2) SHALL CONDUCT THE INVESTIGATION AND ENFORCEMENT OF A**  
2 **VIOLATION OF THIS SECTION IN ACCORDANCE WITH SUBSECTION (D) OF THIS**  
3 **SECTION.**

4           **(D) (1) WITHIN 90 DAYS AFTER THE RECEIPT OF A WRITTEN COMPLAINT,**  
5 **THE COMMISSIONER SHALL CONDUCT AN INVESTIGATION AND ATTEMPT TO**  
6 **RESOLVE THE ISSUE INFORMALLY THROUGH MEDIATION.**

7           **(2) IF THE COMMISSIONER IS UNABLE TO RESOLVE AN ISSUE**  
8 **THROUGH MEDIATION DURING THE PERIOD STATED IN PARAGRAPH (1) OF THIS**  
9 **SUBSECTION AND THE COMMISSIONER DETERMINES THAT THE EMPLOYER HAS**  
10 **COMMITTED A VIOLATION OF THIS SECTION, THE COMMISSIONER SHALL ASSESS A**  
11 **CIVIL PENALTY:**

12                   **(I) NOT TO EXCEED \$1,000 FOR A FIRST VIOLATION;**

13                   **(II) NOT TO EXCEED \$5,000 FOR A SECOND VIOLATION; AND**

14                   **(III) NOT TO EXCEED \$10,000 FOR A THIRD OR SUBSEQUENT**  
15 **VIOLATION.**

16           **(3) IN DETERMINING THE AMOUNT OF A CIVIL PENALTY TO BE**  
17 **IMPOSED UNDER THIS SUBSECTION, THE COMMISSIONER SHALL CONSIDER:**

18                   **(I) THE EMPLOYER'S HISTORY OF VIOLATIONS;**

19                   **(II) THE SERIOUSNESS OF THE VIOLATION;**

20                   **(III) THE EMPLOYER'S GOOD FAITH IN COMPLYING WITH THIS**  
21 **SECTION; AND**

22                   **(IV) THE SIZE OF THE EMPLOYER'S BUSINESS.**

23           **(4) (I) EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS**  
24 **SUBSECTION:**

25                   **1. WITHIN 15 DAYS AFTER AN EMPLOYER RECEIVES A**  
26 **NOTICE TO PAY A CIVIL PENALTY UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE**  
27 **EMPLOYER MAY REQUEST AN ADMINISTRATIVE HEARING, SUBJECT TO THE**  
28 **REQUIREMENTS OF TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE;**  
29 **AND**

1                                   **2. IF NO HEARING IS REQUESTED UNDER ITEM 1 OF THIS**  
2 **SUBPARAGRAPH WITHIN 15 DAYS AFTER THE EMPLOYER’S RECEIPT OF THE NOTICE,**  
3 **THE ORDER TO PAY A CIVIL PENALTY BECOMES A FINAL ORDER OF THE**  
4 **COMMISSIONER.**

5                                   **(II) PAYMENT OF A CIVIL PENALTY UNDER THIS PARAGRAPH IS**  
6 **DUE WHEN THE FINAL ORDER IS ISSUED OR THE NOTICE BECOMES THE FINAL**  
7 **ORDER.**

8                                   **(5) FOR A VIOLATION OF THIS SECTION INVOLVING A VIOLATION OF**  
9 **THE MARYLAND UNEMPLOYMENT INSURANCE LAW:**

10                                   **(I) AN EMPLOYER MAY REQUEST A HEARING UNDER § 8-806 OF**  
11 **THIS ARTICLE; AND**

12                                   **(II) ANY CIVIL PENALTY IMPOSED FOLLOWING A HEARING**  
13 **SHALL BE DUE WHEN ASSESSMENTS FOR CONTRIBUTION, REIMBURSEMENT**  
14 **PAYMENT, OR INTEREST ARE DUE UNDER § 8-629 OF THIS ARTICLE.**

15                                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2025.