

2021

LEGISLATIVE REPORT



MARYLAND
Chamber of Commerce

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INTRODUCTION

Maryland Chamber of Commerce 2021 Legislative Report

The 2021 legislative session was like no other legislative session in Maryland's history. The COVID-19 pandemic created new and unique challenges for the legislature, advocacy organizations like the Maryland Chamber of Commerce and the public. The Maryland Chamber of Commerce and its membership remained committed to doing our part in mitigating the COVID-19 public health and economic crisis while advocating for policies aiding economic recovery. Without a doubt, the economic impact and challenges borne from the COVID-19 pandemic were unprecedented and factored into many policy decisions made during these 90 days.

As a member-driven advocacy organization, our priorities are proposed and voted on each year by our membership. Our top three critical issues for the 2021 legislative session were:

Liability Protection: Seeking liability protections for Maryland businesses shielding them from frivolous COVID-19 related lawsuits as our state's economy opens-up and commerce resumes.

Unemployment Insurance: To stave off the inevitable drastic increases in unemployment insurance taxes paid by employers because of the economic shutdown, the Chamber advocated for legislation addressing the two factors of unemployment insurance taxes (experience rating and the state's tax rate table) be enacted to provide relief, particularly to small business. Additionally, we were a constant voice pushing for federal funding to backfill Maryland's Unemployment Insurance Trust Fund to further prevent rising tax rates for employers.

Economic Sustainability: The economic impact of COVID-19 is unprecedented and overcoming its implications did and will continue to require an extraordinary response. The Chamber was a leading voice to Maryland's policymakers seeking measures intended to support businesses financially as they work to overcome and rebuild from the pandemic. This ultimately took the form of the RELIEF Act of 2021.

While we were able to achieve many of our top priorities, the strength of Maryland's economy is based on its diversity and includes many sectors including agriculture, manufacturing, hospitality, and biotech, among others. These sectors and the businesses within them continue to face serious challenges that require unique solutions and flexibility. The Maryland Chamber of Commerce will continue to advocate for these solutions and the other needs of Maryland employers to support job creation and economic expansion.

Finally, your contributions to our advocacy efforts are the lynchpin to ensuring our success. With your support this session, we passed many of our top priorities while preventing a lot of bad pieces of legislation from becoming a reality. The Chamber reviewed 133 individual pieces of legislation and submitted 69 pieces of testimony. It is with this advocacy and your experiences that we can ensure a stronger future for Maryland's job creators.

General Assembly by the Numbers

972 **1,387**

Bills introduced by the Senate
 Bills introduced by the House of Delegates

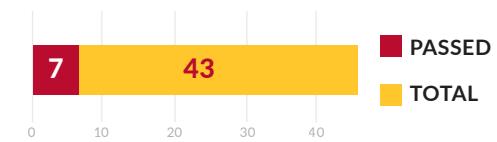
Bills Tracked by the Chamber



Bills Supported by the Chamber



Bills Opposed by the Chamber



83.7% KILL RATE

69 Pieces of testimony submitted

At the conclusion of the 2020 legislative session, the Maryland Chamber of Commerce submitted a written request to the governor asking for the veto of House Bill 732: Taxation – Tobacco Tax, Sales and Use Tax, and Digital Advertising Gross Revenues Tax. HB 732 was subsequently vetoed by the Governor and then addressed by the General Assembly during the 2021 legislative session, as required.

House Bill 732 (Digital Ad Tax) imposes a tax on the annual gross revenues of a person derived from digital advertising services in Maryland. Digital advertising services include advertisement services on a digital interface, including in the form of banner advertising, search engine advertising, interstitial advertising and other comparable advertising services. The Governor vetoed HB 732 on the grounds that the bill would create a new tax on Maryland business during a time when many businesses are struggling financially. Despite the Governor's veto and the state of Maryland's economic recovery challenges, HB 732 was overridden by the House 88-48 and by the Senate 29-17 on February 12, 2021 and became law immediately. Despite the override, SB 787 of 2021 delays the applicability of the tax to after December 31, 2021. Additionally, legal challenges have been brought forth on several facets of the legislation which could further delay implementation.



Business Regulations & Operations

This policy committee looks at issues that benefit the employer-employee relationship and allow businesses to be competitive with their workforce. They address regulatory issues affecting daily operational activities and support legislation that allows market force principles to work in the state's economy.

House Bill 84/Senate Bill 412

Consumer Protection - Right to Repair

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Business Regulations & Operations / Cyber & Technology
Final Status: **Failed**

This bill would have required an original equipment manufacturer to make available certain materials or updates to an independent repair provider/owner of digital electronic equipment. In addition, if a manufacturer failed to do so, they would be in violation of certain provisions of the Act which deem such practices as unfair, abusive, or deceptive trade practices.

The Maryland Chamber of Commerce opposed **HB 84** and **SB 412** on the grounds that it would, unintentionally, harm consumer security and consumer safety. In addition, the marketplace already offers consumer choice for repair with varying levels of quality, price, and convenience. Enacting such legislation would harm the marketplace and undermine relationships between OEMs and repair facilities.

HB 84 received its public hearing in the House Economic Matters committee but failed to advance while **SB 412** received its hearing in the Senate Finance committee, but no action was taken.

CHAMBER
OPPOSED
FAILED

House Bill 454/Senate Bill 336

State and Local Procurement - Payment Practices

MD Chamber Position: **Support**

MD Chamber Policy Committee: Business Regulations & Operations
Final Status: **Failed**

This bill would have altered state policy to require a payment under a procurement contract/after receipt of proper invoice in 15 days instead of the current policy of 30 days. It also would have required each county/municipality to adopt a certain policy, reduced the number of days from 45 to 15 following receipt of an invoice after which the State owes interest on unpaid amounts and interest begins to accrue on unpaid amounts, and repealed a requirement that a contractor must submit an invoice within a certain time period to receive interest payments

The Maryland Chamber of Commerce supported **HB 454** and **SB 336** since both bills would have allowed companies doing business with the state to receive timely payments and continue to garner capital for stable and secure operations.

HB 454 and **SB 336** received their public hearings in their respective committees, but both failed to advance.

CHAMBER
SUPPORTED
PASSED



House Bill 612/Senate Bill 496 (Chapter 39)

Recovery for the Economy, Livelihoods, Industries, Entrepreneurs, and Families (RELIEF) Act

MD Chamber Position: **Support**

MD Chamber Policy Committee: Business Regulations & Operations / Taxation
Final Status: **Passed Enrolled**

HB 612 and **SB 496** (subsequently Chapter 39) will provide financing during the 2021 and 2022 fiscal years to relieve the adverse effects of the COVID-19 pandemic. Also known as the RELIEF Act, this legislation gives up to \$750 in economic impact payments to taxpayers who claimed the state earned income tax credit in certain tax years.

The Maryland Chamber of Commerce supported this legislation for the direct stimulus benefits for Marylanders and Maryland businesses. In addition, the tax relief opportunities will help to counteract the negative effects of the COVID-19 pandemic.

HB 612 received a hearing in the House and while no further action was taken, **SB 496** was approved by the Governor (Chapter 39).



Business Regulations & Operations (cont.)

House Bill 612/Senate Bill 496 (Chapter 39) - **RELIEF ACT**

SB 496 SENATE - Voting Yea - 47

Mr. President	Corderman	Guzzone	Kagan	Patterson	Smith
Augustine	Eckardt	Hayes	Kelley	Peters	Sydnor
Bailey	Edwards	Hershey	King	Pinsky	Waldstreicher
Beidle	Elfretth	Hester	Klausmeier	Ready	Washington
Benson	Ellis	Hettleman	Kramer	Reilly	West
Carozza	Feldman	Hough	Lam	Rosapepe	Young
Carter	Gallion	Jackson	Lee	Salling	Zucker
Cassilly	Griffith	Jennings	McCray	Simonaire	

SB 496 SENATE - Voting Nay - 0

SB 496 HOUSE - Voting Yea - 130

Speaker	Brooks	Fennell	Jones, D.	McIntosh	Smith
Acevero	Buckel	Fisher, W.	Kaiser	McKay	Solomon
Adams	Cardin	Forbes	Kelly	Metzgar	Stein
Amphrey	Carey	Fraser-Hidalgo	Kerr	Moon	Stewart
Anderton	Carr	Ghrist	Kipke	Morgan	Szeliga
Arentz	Chang	Gilchrist	Kittleman	Novotny	Terrasa
Arikan	Charkoudian	Griffith	Korman	Palakovich Carr	Thiam
Atterbeary	Charles	Guyton	Krebs	Parrott	Turner
Bagnall	Chisholm	Harrison	Krimm	Patterson	Valderrama
Barnes, B.	Ciliberti	Hartman	Lehman	Pena-Melnyk	Valentino-Smith
Barnes, D.	Clark	Haynes	Lewis, J.	Pendergrass	Walker
Barron	Clippinger	Healey	Lewis, R.	Pippy	Washington
Bartlett	Conaway	Henson	Lierman	Qi	Watson, C.
Barve	Cox	Hill	Lisanti	Queen	Watson, R.
Beitzel	Crosby	Holmes	Long	Reilly	Wells
Belcastro	Crutchfield	Hornberger	Lopez	Reznik	Wilkins
Bhandari	Cullison	Howard	Love	Rogers	Williams
Boteler	Davis, D.E.	Ivey	Luedtke	Rosenberg	Wivell
Boyce	Davis, D.M.	Jackson	Malone	Ruth	Young, K.
Branch, C.	Dumais	Jacobs	Mangione	Saab	Young, P.
Branch, T.	Ebersole	Jalisi	Mautz	Sample-Hughes	
Bridges	Feldmark	Johnson	McComas	Shetty	

SB 496 HOUSE - Voting Nay - 1

Impallaria



Civil Liability

This policy committee address issues related to tort reform and civil liability, including addressing efforts to expand exposure to liability and damages that weaken businesses' defenses.

House Bill 420

Employers of Ex-Offenders - Liability for Negligent Hiring or Inadequate Supervision - Immunity

MD Chamber Position: **Support**

MD Chamber Policy Committee: Civil Liability

Final Status: **Failed**

HB 420 would have established that certain employers, under certain circumstances, are not liable for negligently hiring or failing to adequately supervise an employee based on evidence that the employee has received probation before judgement for an offense/has been convicted of an offense. In addition, this is applicable only if the Act does not limit or abrogate certain other immunities or defenses.

The Maryland Chamber of Commerce supported **HB 420** since it removed liability from employers if they were to negligently hire or fail to supervise an employee with a criminal background. This legislation would help reduce employer concerns and increase employment opportunities for those seeking re-entry post-incarceration.

HB 420 received a public hearing in the House Economic Matters committee, but the bill was withdrawn by the sponsor.

House Bill 508/Senate Bill 210

COVID-19 Claim - Civil Immunity

MD Chamber Position: **Support**

MD Chamber Policy Committee: Civil Liability

Final Status: **Failed**

HB 508 and **SB 210** looked to provide civil immunity from liability for a COVID-19 claim to a person who acts in compliance with certain statutes, rules, regulations, executive orders, and agency orders unless the person acted with gross negligence or intentional wrongdoing. In addition, both bills would not deny a person civil immunity if certain deviations from certain statutes, rules, regulations, executive orders, and agency orders occurred.

The Maryland Chamber of Commerce supported **HB 508** and **SB 210** on the grounds that the bills would protect business owners from the threat of lawsuits that may exploit them while they go through the process of reopening and attempting to recover economically.

Both **HB 508** and **SB 210** were heard in their respective committees, but no further action was taken on either.

House Bill 1084

Catastrophic Health Emergencies - Immunity from Civil Liability

MD Chamber Position: **Support**

MD Chamber Policy Committee: Civil Liability

Final Status: **Failed**

HB 1084 looked to provide that a person is not civilly liable for an act or omission related to a failure to comply with guidance during a catastrophic health emergency. The legislation also looked to clarify that this would not be the case if clear and convincing evidence is shown that the act or omission was committed with malice or gross negligence.

The Maryland Chamber of Commerce supported **HB 1084** as it established protections for businesses from the threat of lawsuits that exploit the already damaging effects of COVID-19.

HB 1084 received a hearing in the House Judiciary committee, but no further action was taken.



Cyber & Technology

This policy committee works to promote the development of policies that encourage and facilitate growth, entrepreneurship and innovation within the cyber and technology sectors, an important and growing industry area of Maryland's economy.

House Bill 43

Department of Information Technology - Office of Broadband and Joint Committee on Broadband

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Cyber & Technology
Final Status: **Failed**

HB 43 looked to alter the use of the Rural Broadband Assistance Fund and establish the Office of Broadband in the Department of Information Technology to assist local jurisdictions in improving access to high-speed internet. The legislation also hoped to require the Office to coordinate with certain executive branch agencies/stakeholders and establish the Joint Committee on Broadband to ensure an expanded level of access to high-speed internet.

The Maryland Chamber of Commerce opposed **HB 43** since it leaves out private industry members and the public at large from the Joint Committee on Broadband – key players in the issue of the expansion of internet connectivity.

HB 43 received a hearing in the House Economic Matters committee by was given an unfavorable report.

CHAMBER
OPPOSED
FAILED

House Bill 84/Senate Bill 412

Consumer Protection - Right to Repair

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Cyber & Technology/Business Regulations & Operations
Final Status: **Failed**

HB 84 and **SB 412** would have required that original equipment manufacturers make available certain materials/updates to independent repair providers or the owners of digital electronic equipment. In addition to this, the pieces of legislation would deem any violations of certain provisions of the Act as unfair, abusive, or deceptive trade practices which, in turn, would be subject to enforcement and penalty provisions.

The Maryland Chamber of Commerce opposed **HB 84** and **SB 412** on the grounds that it could harm consumer security and safety. The Chamber was also concerned that such legislation would harm the marketplace by undermining relationships between original equipment manufacturers and their authorized repair facilities.

HB 84 and **SB 412** received hearings in their respective committees. **HB 84** was given an unfavorable report by the House Economic Matters committee while **SB 412** had no further action taken.

CHAMBER
OPPOSED
FAILED

House Bill 218/Senate Bill 16

Commercial Law - Consumer Protection - Biometric Identifiers and Biometric Information Privacy

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Cyber & Technology
Final Status: **Failed**

HB 218 and **SB 16** would have required private entities in possession of biometric identifiers/information to develop a public, written policy that established a retention schedule and guidelines for destroying biometric identifiers/information. They also looked to require that each private entity in possession of such biometric data to comply with certain schedules and guidelines.

The Maryland Chamber of Commerce opposed such legislation since the 2008 language did not consider new technological innovations and only aimed to add an additional burden of class action litigation to businesses.

HB 218 was withdrawn by the sponsor and **SB 16** received a public hearing, but no further action was taken.

CHAMBER
OPPOSED
FAILED

House Bill 1064

Commercial Law - Maryland Net Neutrality Act of 2021

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Cyber & Technology
Final Status: **Failed**

HB 1064 would have prohibited fixed Internet service providers/mobile broadband Internet access service providers from blocking certain content, applications, services, or devices as well as degrading certain Internet traffic.

The Maryland Chamber of Commerce opposed **HB 1064** due to a concern that regulating the internet on a state-by-state basis would create a patchwork of laws and regulations. This could harm a business' ability to operate across state lines and create uncertainty/confusion.

CHAMBER
OPPOSED
FAILED

HB 1064 received an unfavorable report by the House Economic Matters committee.

Education & Workforce Development

The Education and Workforce Development policy committee promotes policies that foster an educational and vocational system focused on developing, retaining and attracting a more globally competitive workforce.



House Bill 307

Maryland Technology Internship Program – Qualifications for Participation – Alterations

MD Chamber Position: **Support**

MD Chamber Policy Committee: Education & Workforce Development

Final Status: **Passed**

HB 307 expands the definition of “technology-based business” to include a technology-based nonprofit organization and altered the cumulative grade point average for those who qualify for participation in the Maryland Technology Internship Program from 3.0 to 2.5.

The Maryland Chamber of Commerce supported **HB 307** since the legislation establishes and maintains a robust talent pipeline for technology internship. The bill also allows for an expansion of economic diversity and inclusion in such internship opportunities.

HB 307 was passed in the House 130-0 and then by the Senate 47-0.



House Bill 337/Senate Bill 257

Sales and Use Tax – Vendor Collection Credit – Job Training

MD Chamber Position: **Supported**

MD Chamber Policy Committee: Education & Workforce Development / Taxation

Final Status: **Passed Enrolled**

HB 337 and **SB 257** will authorize vendors who are qualified job training organizations to claim a credit for the expense of collecting/paying the sales and use tax as well as prohibit the total amount of credits a vendor may claim from exceeding \$100,000. The legislation will also require a vendor to be certified as a qualified job training organization before claiming credit and they must apply through the Secretary of Labor to do so.

The Maryland Chamber of Commerce supported **HB 337** and **SB 257** as it would continue to forward education and job training throughout Maryland which, in turn, would drive our economy forward. In addition, such legislation would support partnerships between businesses and organizations to support underserved communities, a key pillar of the Chamber.

HB 337 was passed in the House 134-0 and then by the Senate 47-0. **SB 257** was passed in the Senate 46-0, then by the House with amendments 138-0, and was concurred by the Senate 46-0.

CHAMBER SUPPORTED
PASSED

House Bill 653

Joint Committee on Workforce Development

MD Chamber Position: **Support**

MD Chamber Policy Committee: Education & Workforce Development

Final Status: **Failed**

HB 653 looked to establish a Joint Committee on Workforce Development to evaluate the condition of the state's public/private sector workforces, monitor skills shortages, identify strategies to expand employment, and evaluate the effectiveness of certain programs/policies. It would also require the Committee to submit its findings/recommendations to the Governor and General Assembly by December 31st.

The Maryland Chamber of Commerce supported the goals and initiatives outlined in this legislation. In addition to the overarching purpose of **HB 653**, the Chamber also actively participates in many of the specific areas within the bill.

HB 653 was heard by the House Economic Matters committee but was withdrawn by the sponsor.

Education & Workforce Development (cont.)



House Bill 658/Senate Bill 444

Transforming Manufacturing in a Digital Economy Workgroup (Making It in Maryland)

MD Chamber Position: **Support**

MD Chamber Policy Committee: Education & Workforce Development

Final Status: **Passed Enrolled**

CHAMBER
SUPPORTED
PASSED

HB 658 and **SB 444** will establish the Workgroup to Study the Transformation of Manufacturing in Maryland's Emerging Digital Economy as well as provide for the composition, chair, and staffing of the workgroup. The legislation will require the workgroup to study and make recommendations regarding matters relating to the state's current/future workforce and emerging digital economy. The workgroup will be required to submit an interim and final report to the Governor and General Assembly by December 1st in a given calendar year.

The Maryland Chamber of Commerce supported the "Making It in Maryland" legislation due to its ability to address issues impacting the Maryland workforce as well as acknowledge future technological impacts.

HB 658 was passed by the House (129-29) and then passed with amendments by the Senate (47-0). The House concurred and passed the legislation with amendments (101-34). **SB 444** was passed by the Senate (46-1) and then passed by the House (92-38).

Senate Bill 186

Economic Development - Job Creation Tax Credit - Credit for Hiring Veterans

MD Chamber Position: **Support**

MD Chamber Policy Committee: Education & Workforce Development

Final Status: **Passed Returned**

CHAMBER
SUPPORTED
PASSED

SB 186 expands eligibility under the job creation tax credit program to include certain small businesses that hire at least one qualified veteran employee. The legislation also extends, for five years, the termination date applicable to the program and repeals provisions of law that authorize an income tax credit for wages paid to qualified veteran employees.

The Maryland Chamber of Commerce supported **SB 186** because the Chamber supports any measures that benefit small businesses as well as any efforts to transition military service members and their families from military life to the civilian workforce.

SB 186 was passed by the Senate (45-0) and then passed by the House (137-0).

Senate Bill 357

Joint Committee on Workforce Development

MD Chamber Position: **Support**

MD Chamber Policy Committee: Education & Workforce Development

Final Status: **Failed**

SB 357 looked to establish a Joint Committee on Workforce Development to evaluate the condition of the state's public/private sector workforces, monitor skill shortages, identify strategies to expand employment opportunities, increase earnings, and evaluate the effectiveness of certain programs/policies. The Committee would be required to submit findings/recommendations to the Governor and the General Assembly by December 31st each year.

The Maryland Chamber of Commerce supported this legislation based on the goals and initiatives outlined as well as the fact that the Chamber actively participates in many of the specific areas targeted by the bill.

SB 357 received its public hearing in the Senate but no further action was taken.

Education & **Workforce Development** (cont.)



Senate Bill 459

Economic Development – Maryland Small Business Innovation Research Technical Assistance Program – Alterations

MD Chamber Position: **Support**

MD Chamber Policy Committee: Education & Workforce Development

Final Status: **Pass Returned**

CHAMBER
SUPPORTED
PASSED

SB 459 will establish the Comprehensive Technical Assistance Program in the Maryland Technology Development Corporation with the purpose of providing comprehensive technical assistance to businesses that qualify for financial assistance under the Act. The legislation will also require that technical assistance be provided to incorporate existing services and to include customized applied training options, the use of a network of experienced advisors, and support with accessing private capital.

The Maryland Chamber of Commerce supported **SB 459** because of the increase in technical support access and aid to Maryland small businesses – a key pillar of the Chamber's goals.

SB 459 was passed by the Senate (45-0) and then passed by the House (133-1).





Energy & Environment

This policy committee promotes policies that endeavor to sustain, enhance, protect, and conserve Maryland's natural resources for present and future generations while working to maintain the balance between economic need and environmental concern.

House Bill 21

Environment – Recycling – Prohibition on the Chemical Conversion of Plastic

MD Chamber Position: **Oppose**

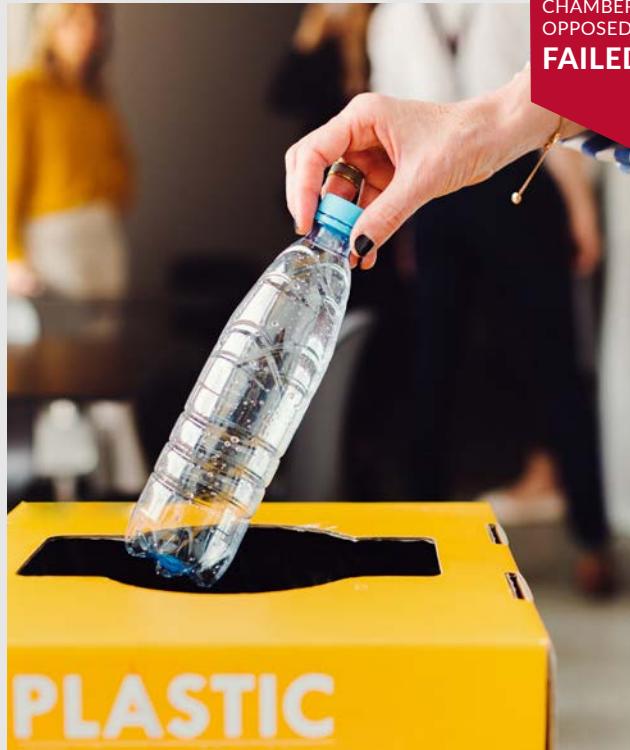
MD Chamber Policy Committee: Energy & Environment

Final Status: **Failed**

HB 21 looked to alter the definition of recycling to exclude chemical conversion processes, pyrolysis, hydro pyrolysis, methanolysis, gasification, enzymatic breakdown, or similar processes as determined by the Department of the Environment as well as prohibiting a person from building a facility that converts plastic to fuel through certain chemical conversion process in Maryland. The legislation also would authorize the Department of the Environment to adopt regulations to implement certain provisions of the Act.

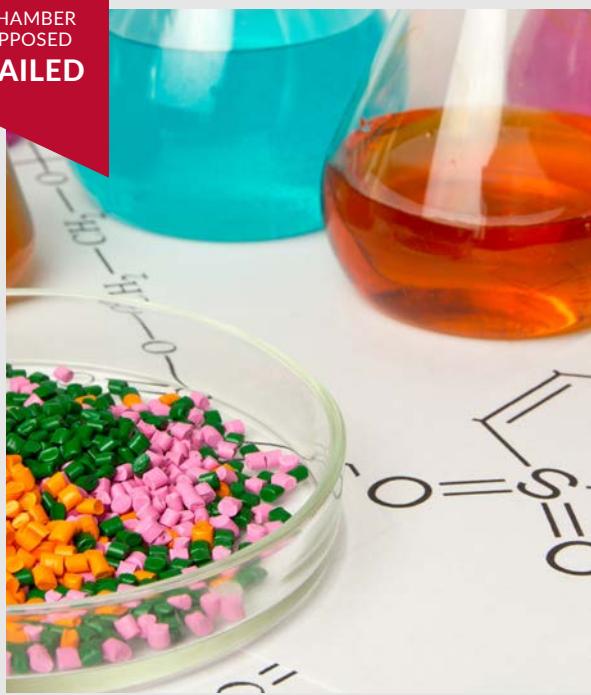
The Maryland Chamber of Commerce opposed **HB 21** because it furthered common misconceptions associated with plastics as well as, effectively, banning the utilization of advanced recycling technologies in Maryland.

HB 21 received a public hearing in its respective committee, but no further action was taken.



CHAMBER
OPPOSED
FAILED

CHAMBER
OPPOSED
FAILED



House Bill 22/Senate Bill 195

Environment – PFAS Chemicals – Prohibitions and Requirements

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Energy & Environment

Final Status: **Failed**

HB 22 and **SB 195** would have prohibited, on or after January 1st, 2022, a person from using, manufacturing, or knowingly selling/distributing Class B fire-fighting foam (specifically foam that contains intentionally added PFAS chemicals) and a certain rug/carpet in Maryland. This legislation would have also prohibited the manufacturing, selling, or distributing of certain food packaging in the state after January 1st, 2022.

The Maryland Chamber of Commerce opposed **HB 22** and **SB 195** due to the broad definition of PFAS chemicals which does not consider the potential differences in chemical classes. In addition, the short timeline of enactment would result in unrealistic expectations for manufacturers and distributors to follow.

HB 22 and **SB 195** both received public hearings in their respective committees, but no further action was taken.



Energy & Environment (cont.)

House Bill 33/Senate Bill 76

Climate Crisis and Education Act

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Energy & Environment

Final Status: **Failed**

HB 33 and **SB 76** would have established a Climate Crisis Initiative in the Department of the Environment and a greenhouse gas reduction target of 60% from 2006 levels by 2030 (with a net-zero by 2045). In addition, the bills looked to establish a Climate Crisis Council to develop a plan to reach reduction targets which would be submitted to the General Assembly by December 31st, 2022. Finally, a requirement of a greenhouse gas pollution fee on all fossil fuels brought into Maryland for combustion was included in the language.

The Maryland Chamber of Commerce opposed **HB 33** and **SB 76** due to concerns over the cost burden that the reduction targets would put on Maryland employers. With the current COVID-19 pandemic, such requirements might be overwhelming for certain businesses.

HB 33 received a public hearing and was given an unfavorable report by the House Economic Matters committee. **SB 76** received a hearing, but no further action was taken.

CHAMBER
OPPOSED
FAILED

House Bill 36

Environment – Packaging, Containers, and Paper Products – Producer Responsibility

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Energy & Environment

Final Status: **Failed**

HB 36 looked to require, by October 1st, 2022, a producer of certain packaging, containers, and paper products to individually (or as part of an organization) submit a covered materials and product stewardship plan to the Department of the Environment for approval. This legislation also would have prohibited, by October 1st, 2024, a producer of covered materials and products from selling/distributing said material and products unless the producer has an approved plan.

The Maryland Chamber of Commerce opposed **HB 36** due to the unrealistic goals it set and the potential financial burden it imposed on producers and manufacturers.

HB 36 received a public hearing in the House Environment and Transportation committee, but no further action was

CHAMBER
OPPOSED
FAILED

House Bill 204/Senate Bill 324

Environment and Natural Resources - Complaints, Inspections, and Enforcement - Information Maintenance and Reporting

MD Chamber Position: **Letter of Information**

MD Chamber Policy Committee: Energy & Environment

Final Status: **Passed Enrolled**

HB 204 and **SB 324** will require the Department of the Environment to receive and process complaints involving potential violations of air/water quality requirements in a certain manner as well as require that an electronic record of some complaints be kept for 10 years. The Department of Natural Resources will be required to report, by September 30th of each year, to the Governor and General Assembly, any information relating to the enforcement of natural resources and conservation laws.

The Maryland Chamber of Commerce did not take an official position on **HB 204** and **SB 324**, but instead submitted a letter of information. This highlighted the concern that the bills could lead to inaccurate public conclusions on certain issues given the fact that many complaints may be found to be invalid.

HB 204 passed through the House with amendments (96-40) and then through the Senate with amendments (42-5) which the House concurred with. **SB 324** passed through the Senate with amendments (37-9) and then through the House with amendments (97-40) which the Senate concurred with.

Energy & Environment (cont.)



House Bill 583/Senate Bill 414

Climate Solutions Now Act of 2021

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Energy & Environment

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

The **Climate Solutions Now Act of 2021** planned to require a statewide greenhouse gas emissions reduction of 60% from 2006 levels by 2030 and require the state to achieve net-zero emissions by 2045. The Maryland Department of Labor will be required to adopt regulations establishing energy conservation requirements for certain buildings by July 1st, 2022 and establish a goal of planting/maintaining Maryland's 5,000,000 sustainable, native trees by the end of 2030.

The Maryland Chamber of Commerce opposed **HB 583** and **SB 414** due to its expensive and extensive requirements as well as the fact that the legislation eliminates the requirement that the plan result in a net economic benefit/net increase in jobs to the Maryland economy.

HB 583 received a public hearing in the House Environment and Transportation committee, but no further action was taken. **SB 414** passed through the Senate and the House with amendments, but the Senate failed to concur with House amendments.

House Bill 739/Senate Bill 524

Environment - Multidefendant Oil and Hazardous Substance Pollution Cases - Effect of Settlement

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Energy & Environment

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

HB 739 and **SB 524** looked to exempt certain types of pollution cases from the Maryland Uniform Contribution Among Joint Tort-Feasors Act and require the factfinder in certain legal actions to decide the total liability and assign comparative responsibility to parties. The legislation would also authorize the state to continue to pursue legal action or bring new legal action if the state had obtained less than complete relief from a person who has resolved their liability in a settlement.

The Maryland Chamber of Commerce opposed these bills due to their vaguely defined rights under Maryland's Environmental Articles as well as the new "comparative responsibility" standard which could be extended to other types of chemicals/pollution cases.

HB 739 and **SB 524** both received hearings in their respective committees, but no further action was taken with either of them.

House Bill 866

Environment - Business Recycling Reporting Requirements

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Energy & Environment

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

HB 866 hoped to require a business that generates recyclable material to submit a recycling report to the county by March 1st of each year. If this Act were to be violated, the business would be subject to a civil penalty not exceeding \$50 for each day on which the violation exists.

The Maryland Chamber of Commerce opposed **HB 866**.

HB 866 was withdrawn by its sponsor.

Labor & Employment

This policy committee focuses on all issues pertaining to the relationship between employees and employers within the state. This committee promotes policies ensuring fairness, reducing excessive mandates, and protecting job creator interests.

House Bill 56/Senate Bill 473

Labor and Employment - Leave With Pay -

Bereavement Leave

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Passed**

HB 56 and **SB 473** will authorize employees to use leave with pay for bereavement leave with bereavement leave meaning leave an employee is allowed to use on the death of a member of their immediate family. The legislation also clarifies the definition of "child" with the purpose of certain bereavement leave to include an adopted, biological, or foster child, a stepchild, or legal ward.

The Maryland Chamber of Commerce opposed this legislation since most employees are already given options to use PTO for bereavement leave. In addition to this, verification can be difficult for employers which could result in abuse of the system.

HB 56 passed through the House (95-37) and then through the Senate (47-0). **SB 473** passed through the Senate (45-0) and then through the House (95-37).

House Bill 124

Occupational Safety and Health Standards to Protect Employees - Aerosol Transmissible Diseases and COVID-19

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Labor & Employment

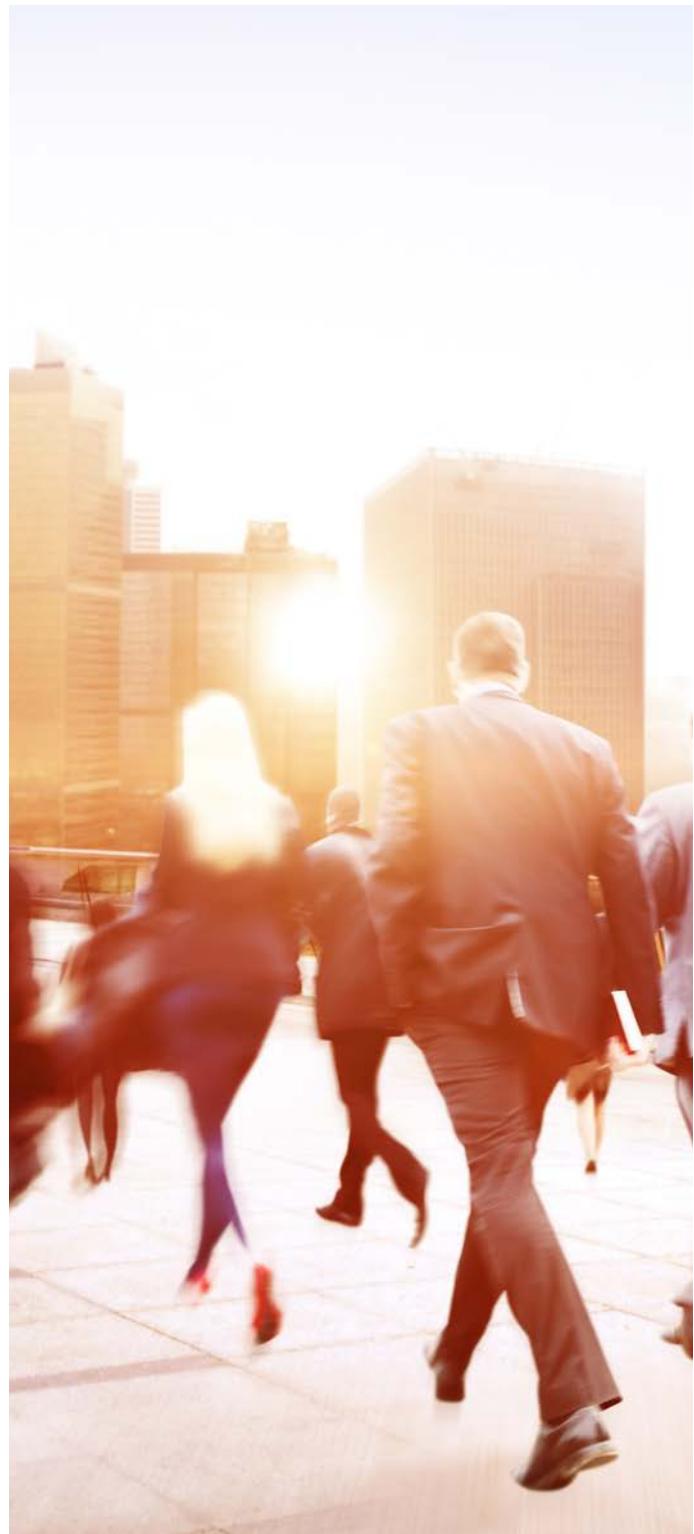
Final Status: **Failed**

HB 124 sought to require the Commissioner of Labor and Industry to adopt regulations establishing an occupational safety and health standard to protect employees from exposure to aerosol transmissible diseases by October 1st, 2021. This legislation also would have required the Secretary of Labor, the Commissioner and the Maryland Department of Health to develop an Emergency Temporary Occupational Safety and Health Standard to Protect Employees From COVID-19 by March 1st, 2021.

The Maryland Chamber of Commerce opposed **HB 124** because there are already efforts underway at the federal level to address many of the issues highlighted in this bill.

HB 124 was withdrawn by its sponsor.

CHAMBER
OPPOSED
FAILED



Labor & Employment (cont.)



House Bill 289/Senate Bill 105

Peace Orders – Workplace Violence

MD Chamber Position: **Support**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Passed Enrolled**

HB 289 and **SB 105** will authorize an employer to file a petition for a peace order that alleges the commission of specified acts against the petitioner's employee at the workplace. In addition to this, this legislation will require an employer to notify an employee before the employer files these petitions.

The Maryland Chamber of Commerce supported **HB 289** and **SB 105** with the hopes that it would provide Maryland employers with an additional tool to protect employees from harm and promote a safer workplace environment.

HB 289 was passed by the House 131-4 and then by the Senate 47-0. **SB 105** was passed by the Senate 47-0 and, eventually, was appointed a conference committee in the House.

See a breakout of voting on page 17.

CHAMBER
SUPPORTED
PASSED

House Bill 375/Senate Bill 211

Labor and Employment - Family and Medical Leave Insurance Program - Establishment (Time to Care Act of 2021)

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Failed**

HB 375 and **SB 211** sought to establish the Family and Medical Leave Insurance Program to provide temporary benefits to a covered individual who is taking leave from employment and establish the Family and Medical Leave Insurance Fund. It would require (beginning January 1st, 2022) that certain employees, employers, and self-employed individuals to pay contributions and authorize (beginning July 1st, 2023) a covered individual taking leave from employment to submit a claim for benefits.

The Maryland Chamber of Commerce opposed this legislation due to the number of additional nuances and complexities in the language that would have resulted in additional costs and burdens to employers. This would especially be the case for small businesses during a time when they can least afford it.

HB 375 and **SB 211** both received public hearings in their respective committees, but no further action was taken in either case.

CHAMBER
OPPOSED
FAILED



Labor & Employment (cont.)

House Bill 289/Senate Bill 105 - Peace Orders – Workplace Violence

HB 289 SENATE - Voting Yea - 47

Mr. President	Corderman	Guzzone	Kagan	Patterson	Smith
Augustine	Eckardt	Hayes	Kelley	Peters	Sydnor
Bailey	Edwards	Hershey	King	Pinsky	Waldstreicher
Beidle	Elfreth	Hester	Klausmeier	Ready	Washington
Benson	Ellis	Hettleman	Kramer	Reilly	West
Carozza	Feldman	Hough	Lam	Rosapepe	Young
Carter	Gallion	Jackson	Lee	Salling	Zucker
Cassilly	Griffith	Jennings	McCray	Simonaire	

HB 289 SENATE - Voting Nay - 0

HB 289 HOUSE - Voting Yea - 135

Speaker	Branch, T.	Fennell	Johnson	McKay	Shetty
Acevero	Bridges	Fisher, W.	Jones, D.	Metzgar	Shoemaker
Adams	Brooks	Forbes	Kaiser	Moon	Smith
Amphrey	Cardin	Fraser-Hidalgo	Kelly	Morgan	Solomon
Anderson	Carey	Ghrist	Kerr	Novotny	Stein
Anderton	Carr	Gilchrist	Kipke	Otto	Stewart
Arentz	Chang	Grammer	Korman	Palakovich Carr	Szeliga
Arikan	Charkoudian	Griffith	Krebs	Parrott	Terrasa
Attar	Chisholm	Guyton	Krimm	Patterson	Thiam
Atterbeary	Ciliberti	Harrison	Lehman	Pena-Melnyk	Turner
Bagnall	Clark	Hartman	Lewis, J.	Pendergrass	Valderrama
Barnes, B.	Clippinger	Haynes	Lewis, R.	Pippy	Valentino-Smith
Barnes, D.	Conaway	Healey	Lierman	Proctor	Walker
Barron	Cox	Henson	Lisanti	Qi	Watson, C
Bartlett	Crosby	Hill	Long	Queen	Watson, R..
Barve	Crutchfield	Holmes	Lopez	Reilly	Wells
Beitzel	Cullison	Hornberger	Love	Reznik	Wilkins
Belcastro	Davis, D.E.	Howard	Luedtke	Rogers	Williams
Bhandari	Davis, D.M.	Ivey	Malone	Rosenberg	Wilson
Boteler	Dumais	Jackson	Mangione	Ruth	Young, K.
Boyce	Ebersole	Jacobs	McComas	Saab	Young, P.
Branch, C.	Feldmark	Jalisi	McIntosh	Sample-Hughes	

HB 289 HOUSE - Voting Nay - 4

Impallaria	Kittleman	Mautz	Wivell
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Labor & Employment (cont.)



House Bill 581/Senate Bill 486

Labor and Employment - Employment Standards During an Emergency (Maryland Essential Workers' Protection Act)

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Passed**

HB 581 and **SB 486** looked to require each essential employer to take actions related to occupational safety and health during an emergency such as allowing an essential worker to have the right to refuse to perform a task. This legislation also requires essential employers to take steps to minimize the risk of transmission of an infectious disease such as reporting certain test results to the Maryland Department of Health.

The Maryland Chamber of Commerce opposed **HB 581** and **SB 486** due to the overly broad and unwell-defined mandates that job creators are expected to comply with. In such a difficult time, this legislation would result in more confusion and struggle.

SB 486 received a public hearing in the Senate Finance committee, but no further action was taken. **HB 581** was passed by the House with amendments (93-39) and then by the Senate (32-14).

Your action made a difference. The Maryland Chamber of Commerce's Action Network is composed of like-minded business owner, employers and individuals who know Maryland is better for everyone when it's better for business.

With your help we urged legislators to make key changes to this bill which ultimately ended in the Maryland Chamber of Commerce taking a neutral stance on the final bill. As passed, we believe it will have no detrimental impact on Maryland employers.

**When we asked
you to act on
HB 581/SB 486...**

900

Advocates
took action

2,324

Connections made
with legislators

Join our Action Network

Your voice matters. When important issues arise and action needs to be taken, we'll connect you with your legislators in one easy click. Now more than ever, your voice can be the driving force to make Maryland the best place to work and live.

Text MDCC to 52886 to join now.

Labor & Employment (cont.)



House Bill 923/Senate Bill 728

Labor and Employment - Worker Safety and Health - Injury and Illness Prevention Program

MD Chamber Position: **Opposed**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

HB 923 and **SB 728** would have required employers with 10 or more employees (or whose rate of work-related injury/illness exceeds the average incidence rate of all industries in Maryland) to develop and implement a health and safety committee to promote health and safety in the workplace. The committee would be required to maintain and retain certain records for a certain period of time. In addition, employers would be required to establish and maintain an injury and illness prevention program.

The Maryland Chamber of Commerce opposed **HB 923** and **SB 728** due to the “one-size-fits-all” approach that wouldn’t be necessary in many cases. Many Maryland workplaces are not inherently unsafe or require such specific safety efforts (such as an office space).

HB 923 and **SB 728** both received public hearings in their respective committees, but no further action was taken in either case.

House Bill 1171

Labor and Employment - Maryland Employee Protection Plan for Vaccine Refusal

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

HB 1171 would have prohibited an employer from terminating an employee solely because of the employee’s refusal to receive a vaccination against COVID-19. It also specified that an employee waives the right to file a civil action against the employer if they refuse to receive a vaccination and the employee contracts COVID-19 during employment.

The Maryland Chamber of Commerce opposed **HB 1171** based on concerns that employers wouldn’t be able to ensure a safe working environment for their entire workforce. This could severely impact medium and small businesses and reduce the confidence of employees regarding workplace safety.

HB 1171 received a public hearing in the House Economic Matters committee, but no further action was taken.

House Bill 1321

Labor and Employment - Right to Work

MD Chamber Position: **Support**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Failed**

HB 1321 looked to prohibit an employer from requiring an employee/prospective employee to join or remain a member of a labor organization, pay charges to a labor organization, or pay a certain amount to a third party. This legislation would have also prohibited an employer from threatening an employee/prospective employee with certain action and, if found in violation of the Act, certain penalties could be imposed.

The Maryland Chamber of Commerce supported **HB 1321** since it promoted employee choice in the decision to join or remain a member of a labor organization. Freedom of association and the right to choose are key to the Chamber and this legislation encompassed that.

HB 1321 did receive a public hearing in the House Economic Matters committee, but was given an unfavorable report.

Labor & Employment (cont.)



House Bill 1154/Senate Bill 801

Labor and Employment - Economic Stabilization Act - Alterations

MD Chamber Position: **Support**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Passed**

HB 1154 and **SB 801** will prohibit an employee from counting in the determination of a reduction in operations if the employee accepts an offer to transfer within 30 days after being offered the transfer. In addition, this legislation will alter the persons to whom an employer is required to provide notice of a reduction in operations and alter the information required to be included in that notice.

The Maryland Chamber of Commerce supported this legislation since it provides necessary, clarifying language as well as its purpose of mirroring the three exceptions to providing notice outlined in federal law.

HB 1154 passed through the House with amendments (111-24) and then through the Senate (47-0). **SB 801** passed through the Senate with amendments (45-0) and then through the House (117-14).

CHAMBER
SUPPORTED
PASSED



Easing the Burden for Maryland's Employers

SB 780 of the 2020 legislative session made significant changes to state law regarding employer notification requirements in the cases of shutdowns or layoffs. The 2020 adopted changes included making notice requirements mandatory rather than voluntary, adding individuals to whom notice must be provided and what information must be included in that notice, and giving the Secretary of Labor authority to fine employers up to \$10,000 a day for violations of the notice requirements.

As a result, **the Maryland Chamber of Commerce formed an interim working group** consisting of Maryland employers and labor attorneys to identify key areas where state law could be brought back into alignment with federal law while also reducing some of the extreme administrative burdens SB 780 of 2020 created.

HB 1154/SB 801 of 2021 was put forth with the blessings of the previous year's bill sponsors and was ultimately passed with overwhelming and bipartisan support leading to three primary changes:

1. Adding and clarifying key and much needed definitions in state law;
2. Making changes to the required notice given to elected officials to only include the chief elected official of the local jurisdiction;
3. Mirroring two of the three exemptions to providing notice outlined in federal law in the case of natural disasters and that of a faltering business seeking capital to continue operations.

The Maryland Chamber of Commerce is proud to have worked alongside members of the labor community to find solutions in easing the burden placed on Maryland employers.



Labor & Employment (cont.)

House Bill 1154/Senate Bill 801 - Economic Stabilization Act - Alterations

SB 801 SENATE - Voting Yea - 45

Mr. President	Corderman	Guzzone	King	Pinsky	Waldstreicher
Augustine	Eckardt	Hayes	Klausmeier	Ready	Washington
Bailey	Edwards	Hershey	Kramer	Reilly	West
Beidle	Elfreth	Hester	Lam	Rosapepe	Young
Benson	Ellis	Hettleman	Lee	Salling	Zucker
Carozza	Feldman	Hough	McCray	Simonaire	
Carter	Gallion	Jackson	Patterson	Smith	
Cassilly	Griffith	Kagan	Peters	Sydnor	

SB 801 SENATE - Voting Nay - 0

SB 801 HOUSE - Voting Yea - 117

Speaker	Bridges	Forbes	Kerr	Novotny	Stewart
Acevero	Buckel	Fraser-Hidalgo	Kipke	Otto	Terrasa
Adams	Cardin	Gilchrist	Korman	Palakovich Carr	Thiam
Amphrey	Carey	Griffith	Krebs	Patterson	Turner
Anderton	Carr	Guyton	Krimm	Pena-Melnyk	Valderrama
Arentz	Chang	Harrison	Lehman	Pendergrass	Valentino-Smith
Arikan*	Charkoudian	Hartman	Lewis, J.	Pippy	Walker
Atterbeary	Charles	Haynes	Lewis, R.	Proctor	Washington
Bagnall	Ciliberti	Healey	Lierman	Qi	Watson, C.
Barnes, B.	Clippinger	Henson	Lisanti	Queen	Watson, R.
Barnes, D.	Conaway	Hill	Long	Reilly	Wells
Barron	Crosby	Holmes	Lopez	Reznik	Wilkins
Bartlett	Crutchfield	Hornberger	Love	Rogers	Williams
Barve	Cullison	Howard	Luedtke	Rosenberg	Wilson
Beitzel	Davis, D.E.	Ivey	Malone	Ruth	Wivell
Belcastro	Davis, D.M.	Jackson	Mautz	Sample-Hughes	Young, K.
Bhandari	Dumais	Johnson	McComas	Shetty	Young, P.
Boyce	Ebersole	Jones, D.	McIntosh	Smith	
Branch, C.	Feldmark	Jones, R.	McKay	Solomon	
Branch, T.	Fennell	Kaiser	Moon	Stein	

* indicates vote change

SB 801 HOUSE - Voting Nay - 14

Boteler	Fisher, M.	Impallaria	Morgan	Saab
Chisholm	Ghrist	Jacobs	Parrott	Shoemaker
Clark	Grammer	Kittleman	Rose	

Labor & Employment (cont.)



House Bill 1326/Senate Bill 727

Maryland Healthy Working Families Act – Revisions and Public Health Emergency Leave

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

The Maryland Healthy Working Families Act would have repealed the exemption for certain on-call employees as well as require employers to allow employees to use earned sick and safe leave during a public health emergency. This legislation sought to require employers to provide employees earned sick and safe leave on the date that a public health emergency is declared for a jurisdiction regardless of the employee's length of employment.

The Maryland Chamber of Commerce opposed **HB 1326** and **SB 727** since expanded leave mandates on employers would result in a number of significant challenges and unintended consequences.

HB 1326 was withdrawn by its sponsor while **SB 727** received a public hearing, but no further action was taken.

Senate Bill 504

Discrimination in Employment – Use of Medical Cannabis – Prohibition

MD Chamber Position: **Letter of Information**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Failed**

SB 504 would have prohibited an employer from discriminating against an individual because of the individual's receipt of a written certification for the use of medical cannabis or the individual's positive drug test. The legislation would also establish that certain provisions prohibiting employment discrimination do not restrict an employer from adopting policies/procedures that prohibit an employee from performing their duties while impaired by medical cannabis.

The Maryland Chamber of Commerce did not take an official position on **SB 504** – instead, a letter of information was submitted. The letter of information highlighted general concerns that the Chamber and its members had regarding the language and specifics of **SB 504**.

SB 504 received a public hearing in the Senate Judicial Proceedings committee, but no further action was taken.

Senate Bill 191

Labor and Employment - Hiring - Higher Education Requirements (Give Me a Chance Act)

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

SB 191 sought to prohibit an employer from developing or implementing an application or hiring process that used a higher education degree as a limitation except in certain circumstances. It also would have prohibited an employer from using an applicant's lack of a higher education degree as a reason to deny an applicant the opportunity to apply for a position as well as prohibiting an employer from inquiring, during the interview process, about an applicant's lack of a higher education degree.

The Maryland Chamber of Commerce opposed **SB 191** given that existing federal and state laws already provide the statutory remedy for the issue. **SB 191** is unnecessary and it would result in confusion in respect to the standards applied under current anti-discrimination statutes.

SB 191 did receive a public hearing in the Senate Finance committee, but no further action was taken.

Senate Bill 653

Labor and Employment - Healthy Working Families Act - Application

MD Chamber Position: **Letter of Information**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Failed**

SB 653 looked to repeal the exemption from the application of the Healthy Working Families Act for construction industry employees who are covered by certain collective bargaining agreements.

The Maryland Chamber of Commerce did not take an official position on **SB 653** – instead, a letter of information was submitted. The Chamber was concerned about the precedent set forth with this legislation, specifically regarding the override of the clear and express agreements made between collective bargaining units and their employers.

SB 653 received a hearing in the Senate Finance committee, but no further action was taken.



Labor & Employment (cont.)

Senate Bill 834

Harassment and Sexual Harassment - Definitions - Employment Discrimination and Sexual Harassment Prevention Training

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

SB 834 sought to alter the definition of "harassment" and defining "sexual harassment" for the purposes of provisions relating to discrimination in employment to include conduct (which doesn't need to be severe or pervasive) that consists of unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature under certain circumstances. It would also alter the definition of "sexual harassment" for provisions relating to government-based sexual harassment prevention training.

The Maryland Chamber of Commerce opposed **SB 834** due to its broad terminology and the possibility of business owners being subjected to an increased risk of liability based on the expanded definition.

SB 834 passed through the Senate with amendments (45-0) and received a favorable report in the House Economic Matters committee, but no further action was taken.

Senate Bill 911

Unlawful Employment Practice - Statute of Limitations and Remedies

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

SB 911 sought to increase the limitations on the amount of compensatory damages and punitive damages that may be awarded to a complainant in an unlawful employment case. It would also increase the period of time, from 2 to 3 years, for which a claimant may recover back pay in unlawful employment cases as well as when they may file a civil action that alleges an unlawful employment practice that doesn't allege harassment.

The Maryland Chamber of Commerce opposed **SB 911** since current Maryland law already strikes the appropriate balance between employee and employer interests in cases like this. This legislation would only make situations more confusing and difficult for Maryland employers.

SB 911 passed through the Senate with amendments (47-0) and, while in the House, a special-order motion until later this session was adopted, but no further action was taken.

Senate Bill 848

Maryland Wage and Hour Law and Maryland Wage Payment and Collection Law - Revisions (Maryland Wage Protection Act)

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

SB 848 would have required that a summary that employers are required to keep conspicuously posted in places of employment include antiretaliation provisions and that employers are not allowed to take certain actions under the Maryland Wage and Hour Law as well as the Maryland Wage Payment and Collection Law. The legislation also broadly prohibited employers from discriminating against employees under certain circumstances.

The Maryland Chamber of Commerce opposed **SB 848** due to new definitions in the bill's language as well as the general additional uncertainty that it would create in the Maryland business environment.

SB 848 received a public hearing in the Senate Finance committee, but no further action was taken.

Senate Bill 912

Maryland Wage and Hour Law and Maryland Wage Payment and Collection Law - Antiretaliation Provisions

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Labor & Employment

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

SB 912 looked to prohibit employers from taking actions under the Maryland Wage and Hour Law and the Maryland Wage Payment and Collection Law. It would also prohibit employers from discriminating against employees in certain cases. Finally, it would alter the list of acts that constitute adverse action to include a reduction in work hours, unfavorable schedule changes, or the reporting of the suspected citizenship/immigration status of an employee.

The Maryland Chamber of Commerce opposed this legislation due to new definitions in the bill's language as well as the general additional uncertainty that it would create in the Maryland business environment.

SB 912 received a public hearing in the Senate Finance committee, but no further action was taken.



Taxation

This policy committee evaluates all policies relating to business tax. They support policies that strengthen the state's competitive tax climate to help attract and retain businesses, talent and investment while reducing the cost of doing business.

House Bill 172

Corporate Income Tax – Combined Reporting and Subtraction Modification for Combined Groups of Corporations

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Taxation

Final Status: **Failed**

HB 172 sought to require affiliated corporations to compute Maryland taxable income using a combined reporting method as well as authorize certain corporations (subject to regulations adopted by the Comptroller) to determine income using the water's edge method. In addition, the legislation would require, subject to regulations adopted by the Comptroller, groups of corporations to file a combined income tax return reflecting the aggregate income tax liability of all members.

The Maryland Chamber of Commerce opposed **HB 172** since the overarching sentiment on combined reporting is that it isn't an appropriate or accurate method of computing state taxable income and would, ultimately, not increase state tax revenue.

HB 172 received a public hearing in the House Ways and Means committee, but no further action was taken.



CHAMBER
OPPOSED
FAILED

House Bill 201

Income Tax Rates – Capital Gains Income

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Taxation

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

HB 201 would have provided for an additional state individual income tax rate of 1% on net capital gains (subject to exceptions). This legislation would be applied to taxable years beginning after December 31st, 2020.

The Maryland Chamber of Commerce opposed this legislation since the additional tax would disproportionately impact small business owners – many of whom are already struggling due to COVID-19.

HB 201 received a public hearing in the House Ways and Means committee, but no further action was taken.

House Bill 215/Senate Bill 288

Income Tax – Carried Interest – Additional Tax

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Taxation

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

HB 215 and **SB 288** looked to impose a tax of 17% on the Maryland taxable income attributable to investment management services of an individual/corporation or the distributive share of a pass-through entity. The legislation would provide that the tax does not apply to investment management services if at least 80% of the specified assets consists of real estate. **HB 215** and **SB 288** would be terminated if federal legislation with similar goals was enacted and the legislation would apply to taxable years beginning after December 31st, 2020.

The Maryland Chamber of Commerce opposed these bills, not only due to the pressures of the pandemic, but also because these bills would impose an exorbitant increase in tax on income that is already taxed at Maryland's full state-plus-local tax rate.

HB 215 and **SB 288** both received their public hearings in their respective committees, but no further action was taken on either.



Taxation (cont.)

House Bill 229

Corporate Income Tax – Throwback Rule

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Taxation
Final Status: **Failed**

HB 229 would have required that sales of tangible personal property be attributed to the state for apportionment purposes under the corporate income tax if the corporation is not taxable in the state of the purchaser. This bill would be applicable to taxable years beginning after December 31st, 2021.

The Maryland Chamber of Commerce opposed this legislation for a multitude of reasons – many centering around the idea that the throwback rule wouldn't be beneficial for Maryland businesses and their owners.

HB 229 received a hearing in the House Ways and Means committee, but no further action was taken.

CHAMBER
OPPOSED
FAILED

House Bill 278

Economic Development – Job Creation

Tax Credit – Qualified Position

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Taxation
Final Status: **Passed**

HB 278 will alter the definition of “qualified position” for the purposes of eligibility under the job creation tax credit program as well alter the definition of “revitalization area” to include a Tier I county for purposes of the program. The bill also will apply the Act to job creation tax credits certified after December 31, 2020.

The Maryland Chamber of Commerce opposed **HB 278** since it would make it extremely difficult to create “qualified positions” which, in turn, would make it difficult to qualify for Maryland incentive programs. Ultimately, economic development incentives could become underutilized.

HB 278 was passed by the House 93-39 and then by the Senate 35-12.

House Bill 330

Effective Corporate Tax Rate Transparency

Act of 2021

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Taxation
Final Status: **Failed**

HB 330 would require a publicly traded corporation that is required to file a Maryland income tax return to attach a statement identifying the corporation's effective tax rate as well as an explanation of the calculation of the effective tax rate. It would also require that the statement be made under oath, signed, subject to audit by the Comptroller, and treated as confidential taxpayer information. The Comptroller would be required to submit a report to the Governor and the General Assembly by March 1st of each year.

The Maryland Chamber of Commerce opposed **HB 330** due to its misleading information, the administrative burden it would impose on businesses, and the fact that it is unnecessary given that the information it wants to require is already available through the Comptroller's office.

HB 330 was heard in the House Ways and Means committee, but no further action was taken.

CHAMBER
OPPOSED
FAILED

House Bill 357

Income Tax – Pass-Through Entity

Additional Tax

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Taxation
Final Status: **Failed**

HB 357 would have imposed a state income tax on income distributed to members of pass-through entities from the pass-through entity's taxable income exceeding \$1,000,000. This is providing that the tax does not apply to the income of a pass-through entity that is a sole proprietorship or has implemented an employee stock ownership plan. This legislation would be applicable to taxable years beginning after December 31st, 2020.

The Maryland Chamber of Commerce opposed **HB 357** as it would inhibit Maryland businesses from creating new jobs and, in turn, contributing more to the Maryland economy. In addition, COVID-19 has already had a tremendous impact on the business community and legislation like this would just be an additional burden.

HB 357 received a public hearing in the House Ways and Means committee, but no further action was taken.

CHAMBER
OPPOSED
FAILED



Taxation (cont.)

House Bill 360/Senate Bill 246

Income Tax – Angel Investor Tax Credit Program

MD Chamber Position: **Support**

MD Chamber Policy Committee: Taxation

Final Status: **Failed**

The **Angel Investor Tax Credit Program** looked to allow a credit against the state income tax for 50% of an investment made in qualified innovation business, not to exceed \$50,000 (or \$100,000 for a qualified investor that is a married couple filing jointly or a pass-through entity). In addition, this legislation would require a qualified investor to meet certain requirements to be eligible for the credit (which would be administered by the Department of Commerce). Finally, these bills would be applicable to taxable years beginning after December 31st, 2020 and would establish the Maryland Angel Investor Tax Credit Reverse Fund.

The Maryland Chamber of Commerce supported **HB 360** and **SB 246** since they are designed to encourage investment in startups that are vital to Maryland's future economic success. The Chamber supports any effort to encourage business development throughout Maryland.

HB 360 and **SB 246** both received public hearings in their respective committees, but no further action was taken in either case.

House Bill 661

Income Tax – Expensing of Business Property and Bonus Depreciation – Recoupling With Federal Law

MD Chamber Position: **Support**

MD Chamber Policy Committee: Taxation

Final Status: **Failed**

HB 661 looked to repeal Maryland income tax modifications for specified deductions for the cost of business property that is treated as an expense for federal income tax purposes. It would have also repealed Maryland income tax modifications for a specified additional depreciation allowance under the federal income tax for certain business property.

The Maryland Chamber of Commerce supported this legislation since, as a broader policy position, we support most efforts to recouple Maryland tax law with federal law.

HB 661 was withdrawn by its sponsor.

House Bill 495

Income Tax – Internal Revenue Code Amendments and the Federal CARES Act – Decoupling

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Taxation

Final Status: **Passed**

HB 495 will prohibit the retroactive application of certain amendments to the Internal Revenue Code to the determination of Maryland taxable income (except in certain circumstances). This legislation will be applicable to all taxable years beginning after December 31st, 2020.

The Maryland Chamber of Commerce opposed **HB 495** since, if enacted, the impact would wipe away much of the assistance presented to Maryland businesses because of COVID-19. It would result in additional complexities and a burden for employers.

HB 495 passed through the House with amendments (127-3) and then passed through the Senate (41-6).

House Bill 804/Senate Bill 916

Taxes – Whistleblower Reward Program and Statute of Limitations for Tax Collection

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Taxation

Final Status: **Passed**

HB 804 and **SB 916** will establish a whistleblower reward program within the Office of the Comptroller under the assumption that said whistleblower (who voluntarily provides information) shall be entitled to receive a monetary reward. The legislation also elaborates on the determination and allocation of the amount of an award if two or more whistleblowers are eligible. The determination of the amount of the award will be in the discretion of the Comptroller.

The Maryland Chamber of Commerce opposed this legislation since it doesn't address all potential issues surrounding whistleblower situations and fails to acknowledge that the Comptroller's office already has a similar system in place for such tips.

HB 804 passed through the House with amendments (96-39) and then passed through the Senate (46-0). **SB 916** passed through the Senate with amendments (46-0) and then received a special-order motion until later this session within the House, where no further action was taken.



Taxation (cont.)

House Bill 1052

Income Tax – Subtraction Modification – Trade or Business Expenses Resulting in Federal Loan Forgiveness

MD Chamber Position: **Support**

MD Chamber Policy Committee: Taxation

Final Status: **Failed**

HB 1052 would have allowed a subtraction modification under the Maryland income tax for certain expenses paid/incurred during the taxable year if the payment of the expense results in forgiveness of a loan and the income that results is excluded from federal adjusted gross income (in accordance with provisions of the federal CARES Act). The legislation would be applicable to taxable years 2020 and 2021.

The Maryland Chamber of Commerce supported **HB 1052** due to its limited scope of taxable years and its ability to help Maryland small businesses survive and recover from the current economic situation.

HB 1052 was heard in the House Ways and Means committee, but no further action was taken.

House Bill 1200/Senate Bill 787

Digital Advertising Gross Revenues Tax – Exemption and Restriction

MD Chamber Position: **Opposed**

MD Chamber Policy Committee: Taxation

Final Status: **Passed Enrolled**

HB 1200 and **SB 787** will exempt advertisement services on digital interfaces from a tax on annual gross revenues derived from digital advertising services in Maryland. The legislation will also prohibit a person who derives gross revenues from digital advertising services in Maryland from passing on the cost of the tax to a customer. The Act is applicable to taxable years beginning after December 31st, 2020.

The Maryland Chamber of Commerce opposed **HB 1200** and **SB 787** since they discriminate against interstate commerce in violation of the commerce clause, violate the 1st Amendment, and have a vague and uncertain scope. The legislation is riddled with legal concerns that the Chamber cannot support.

HB 1200 was heard in the House Ways and Means committee, but no further action was taken. **SB 787** was passed through the Senate with amendments (46-0) and then passed through the House with amendments (95-43), which the Senate concurred with.

House Bill 1149

Small Business Tax Relief – State of Emergency Orders

MD Chamber Position: **Support**

MD Chamber Policy Committee: Taxation

Final Status: **Failed**

HB 1149 would have allowed a subtraction modification under the Maryland income tax for earned income of small businesses for a period during which the state or county (in which the business is located) was under a state of emergency and the Governor's emergency order required the business to close/limit its operation. The legislation also provided an exemption from the sales and use tax for small businesses for a period of time under certain emergency circumstances.

The Maryland Chamber of Commerce supported **HB 1149** for its numerous benefits to Maryland small businesses during such a difficult economic time.

HB 1149 was heard in the House Ways and Means committee, but no further action was taken.

House Bill 1230

Income Tax – Subtraction Modification – Computer Equipment

MD Chamber Position: **Support**

MD Chamber Policy Committee: Taxation

Final Status: **Failed**

HB 1230 would have allowed (for 2020 and 2021) a subtraction modification under the Maryland income tax for up to \$180 of the total sales and use tax paid for the purchase of computer equipment from March 1st, 2020 through June 30th, 2021. This equipment needed to be used by students participating in distance or remote learning, regardless of education level, or individuals who work remotely.

The Maryland Chamber of Commerce supported **HB 1230** as it would provide some measure of financial relief to those employees and small businesses who have made the switch to working remotely during the COVID-19 pandemic.

HB 1230 received a public hearing in the House Ways and Means committee, but no further action was taken.



Taxation (cont.)

House Bill 1257

Business Personal Property Tax – Businesses Affected by COVID-19 Restrictions – Reimbursement

MD Chamber Position: **Support**

MD Chamber Policy Committee: Taxation

Final Status: **Failed**

HB 1257 would have required the State Department of Assessments and Taxation to reimburse businesses affected in a certain manner by COVID-19 restrictions (that file a business personal property tax return during January 1st, 2021 to April 15th, 2021) for the full amount of business personal property tax paid by the businesses in 2020. The legislation would also require the Department to reimburse eligible businesses exclusively out of certain state funds and in the order in which they filed personal property tax returns.

The Maryland Chamber of Commerce supported **HB 1257** as it would have provided much needed financial assistance and tax relief to businesses that were completely unable to do business or unable to conduct normal business.

Senate Bill 511

Corporate Tax Fairness Act of 2021

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Taxation

Final Status: **Failed**

SB 511 sought to require that certain sales of tangible personal property to be included in the numerator of the sales factor used for apportioning a corporation's income to the state as well as require some corporations to compute Maryland taxable income using a combined reporting method. The legislation would also authorize certain corporations to determine income using certain methods.

The Maryland Chamber of Commerce opposed **SB 511** since the overarching sentiment on combined reporting is that it isn't an appropriate or accurate method of computing state taxable income and would, ultimately, not increase state tax revenue.

SB 511 received a public hearing in the Senate Budget and Taxation committee, but no further action was taken.

CHAMBER
OPPOSED
FAILED

Senate Bill 123

Small Business Fairness Act

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Taxation

Final Status: **Failed**

SB 123 would have required affiliated retail trade and food services corporations with multiple locations to compute Maryland taxable income using a combined report method. It would have also authorized corporations, subject to regulations, to determine certain income using the water's edge method. Finally, the legislation would require, subject to regulations, certain groups of retail trade and food services corporations to file income tax returns reflecting the aggregate income tax liability of all members.

The Maryland Chamber of Commerce opposed **SB 123** since the overarching sentiment on combined reporting is that it isn't an appropriate or accurate method of computing state taxable income and would, ultimately, not increase state tax revenue.

SB 123 was heard in the Senate Budget and Taxation committee, but no further action was taken.

CHAMBER
OPPOSED
FAILED

Senate Bill 578

Income Tax – Retroactive Changes Under the Federal CARES Act – Addition Modification

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Taxation

Final Status: **Passed**

SB 578 will prohibit the retroactive application of certain amendments to the Internal Revenue Code to the determination of Maryland taxable income (except under certain circumstances). The Act would be applicable to all taxable years beginning after December 31st, 2020.

The Maryland Chamber of Commerce opposed **SB 578** since, if enacted, the impact would wipe away much of the assistance presented to Maryland businesses because of COVID-19. It would result in additional complexities and a burden for employers.

SB 578 was passed through the Senate with amendments (37-10) and then passed through the House (121-17).



Transportation & Infrastructure

This policy committee promotes policies that boost economic opportunity and work to advance short- and long-term state transportation needs.

House Bill 63/Senate Bill 188

State Finance - Prohibited Appropriations - Magnetic Levitation Transportation System

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Transportation & Infrastructure

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

HB 63 and **SB 188** looked to prohibit the state/certain units and instrumentalities of the state from using any appropriation for a magnetic levitation (Maglev) transportation system in the state. This prohibition would not apply to certain expenditures for salaries.

The Maryland Chamber of Commerce opposed these bills since prohibiting improved state transportation would only be limiting the benefits a Maglev system could have. Through the creation and improvement of such system, an economic boost would occur as well as benefitting commuters.

HB 63 and **SB 188** were heard in their respective committees where no action was taken. **SB 188** and **HB 63** received an unfavorable report by the House Environment and Transportation committee.

House Bill 492

Railroad Company - Movement of Freight - Required Crew

CHAMBER
OPPOSED
FAILED

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Transportation & Infrastructure

Final Status: **Failed**

This bill would have prohibited a train or light engine from being used in the movement of freight in the same rail corridor as a high-speed passenger/commuter train while being operated in the state unless it has at least two crew members. It also would have established certain penalties providing that a railroad company is solely responsible for certain actions as well as prohibiting a county or municipal corporation from enacting/enforcing more stringent measures.

The Maryland Chamber of Commerce opposed **HB 492** since it would hinder freight rail demands – which are currently increasing. In addition, there is no data from the Federal Railroad Administration that shows two-person crews are safer than one-person crews.

HB 492 passed through the House, but after receiving a hearing in the Senate Finance committee, no further action was taken.





Workers' Compensation & Unemployment Insurance

This committee covers all workers' compensation and unemployment insurance issues and supports policies that promote a fair and equitable balance between employee and employer concerns.

House Bill 683/Senate Bill 461

Workers' Compensation - Medical Cannabis - Compensation and Benefits

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Workers' Compensation & Unemployment Insurance

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

HB 683 and **SB 461** would have provided that a covered employee or dependent of a covered employee is not entitled to workers' compensation/benefits if an accidental personal injury, compensable hernia, or occupational disease was caused solely by the effect of medical cannabis. This is also applicable if the medical cannabis was not administered or taken with the written certification of a certifying provider/the written instructions of a physician.

The Maryland Chamber of Commerce opposed this legislation because it does not change existing law and it's virtually impossible for employers to prove that an accident was caused by cannabis consumption since there's no metric for testing cannabis intoxication.

HB 683 was withdrawn by its sponsor and **SB 461** received an unfavorable report by the Senate Finance committee.

House Bill 765

Workers' Compensation - Occupational Disease

Presumptions - Novel Coronavirus

(Essential Workers' Compensation Act)

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Workers' Compensation & Unemployment Insurance

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

HB 765 would have provided compensation to firefighters, rescue squad members, advance life support unit members, police officers, sheriffs, deputy sheriffs, correctional officers, and certain healthcare and childcare workers who are suffering from the effects of severe acute respiratory syndrome coronavirus 2. This would be under the presumption that they would have an occupational disease that was suffered in the line of duty or course of employment which would therefore be compensable.

The Maryland Chamber of Commerce opposed **HB 765** since it could open the door to compensation for other common, community diseases such as the flu. In addition, the Workers' Compensation Commission is already hearing and finding COVID-19 claims compensable on a case-by-case basis and should have authority over those cases.

HB 765 was withdrawn by its sponsor.

House Bill 906/Senate Bill 814

Unemployment Insurance - Earned Rating Record - Waiver of Benefit Charges Due to COVID-19

MD Chamber Position: **Support**

MD Chamber Policy Committee: Workers' Compensation & Unemployment Insurance

Final Status: **Failed**

HB 906 and **SB 814** looked to require the Secretary of Labor to waive the charges of unemployment insurance benefits against the earned rating record of an employing unit for claims filed during a certain period that could be determined to be related to COVID-19. In addition, they would have authorized the Secretary to charge certain unemployment insurance benefits against the earned rating record of an employing unit due to conduct related to separation notices. The Act would be terminated at the end of June 30th, 2025.

The Maryland Chamber of Commerce supported this legislation.

HB 906 and **SB 814** were withdrawn by both of their sponsors.



Workers' Compensation & Unemployment Insurance (cont.)

House Bill 1139/Senate Bill 819

Unemployment Insurance - Weekly Benefit Amount - Income Disregard

MD Chamber Position: **Letter of Information**

MD Chamber Policy Committee: Workers' Compensation & Unemployment Insurance

Final Status: **Passed Enrolled**

HB 1139 and **SB 819** will increase the maximum amount of wages disregarded when computing the weekly benefit amount to be paid to an unemployment insurance benefits claimant to \$200. The Act will terminate on the date that the COVID-19 pandemic ends under Title 14 of the Public Safety Article.

The Maryland Chamber of Commerce did not take an official position on **HB 1139** and **SB 819** but did submit a letter of information. Overall, the Chamber was concerned that this legislation would financially strain the Unemployment Insurance Trust Fund and increase employer challenges.

HB 1139 was passed by the House with amendments (109-31) and then passed by the Senate (47-0). **SB 819** was passed by the Senate with amendments (45-0) and then passed by the House (104-32).

Senate Bill 64

Unemployment Insurance - Earned Rating Record - Waiver of Benefit Charges Due to COVID-19

MD Chamber Position: **Support**

MD Chamber Policy Committee: Workers' Compensation & Unemployment Insurance

Final Status: **Failed**

SB 64 looked to require the Secretary of Labor waive the charging of unemployment insurance benefits paid to a claimant during the COVID-19 state of emergency against the earned rating record of an employing unit. The Act would be terminated 1 year from the date on which the COVID-19 state of emergency ends.

The Maryland Chamber of Commerce supported SB 64 since it protects Maryland employers from rising unemployment insurance taxes. This in turn keeps money in the pockets of Maryland businesses, their doors open, and their employees on the payroll.

SB 64 was withdrawn by its sponsor.

House Bill 1199/Senate Bill 813

Workers' Compensation - Occupational Disease Presumptions - COVID-19

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Workers' Compensation & Unemployment Insurance

Final Status: **Failed**

HB 1199 and **SB 813** would have, given that covered employees are suffering from the effects of severe acute respiratory syndrome coronavirus 2, determined that such employees have an occupational disease that was suffered in the line of duty or course of employment and, therefore, are eligible to receive compensation. An individual would be required to provide a copy of the positive test or written documentation confirming the diagnosis to receive such benefits.

The Maryland Chamber of Commerce opposed **HB 1199** and **SB 813** since it could open the door to compensation for other common, community diseases such as the flu. In addition, the Workers' Compensation Commission is already hearing and finding COVID-19 claims compensable on a case-by-case basis and should have jurisdiction over those cases.

HB 1199 and **SB 813** both received hearings in their respective committees, but no further action was taken.

CHAMBER
OPPOSED
FAILED

Senate Bill 214

Unemployment Insurance - Computation of Earned Rate of Contribution - Applicable Table of Rates

MD Chamber Position: **Letter of Information**

MD Chamber Policy Committee: Workers' Compensation & Unemployment Insurance

Final Status: **Failed**

SB 214 looked to require, beginning June 1st, 2021, the computation of the earned rate of contribution to be calculated using Table A of unemployment insurance rates. This Act would be terminated on the date that is 1 year from the date on which the COVID-19 state of emergency ends under Title 14 of the Public Safety Article.

The Maryland Chamber of Commerce did not take an official position on **SB 214** – instead, opting to submit a letter of information. Overall, the Chamber and its members looked forward to working with the bill sponsor and the Maryland government to find a beneficial solution to providing financial relief to Maryland employers.

SB 214 received a hearing in the Senate Finance committee, but no further action was taken.



Workers' Compensation & Unemployment Insurance (cont.)

Senate Bill 756

Workers' Compensation – Occupational Disease Presumptions – COVID-19

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Workers' Compensation & Unemployment Insurance

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

SB 756 would have, given that covered employees are suffering from the effects of severe acute respiratory syndrome coronavirus 2, determined that such employees have an occupational disease that was suffered in the line of duty or course of employment and, therefore, are eligible to receive compensation. An individual who is eligible for benefits must provide a copy of a test or written documentation to the employer/insurer.

The Maryland Chamber of Commerce opposed **SB 756** since it could open the door to compensation for other common, community diseases such as the flu. In addition, the Workers' Compensation Commission is already hearing and finding COVID-19 claims compensable on a case-by-case basis and should have jurisdiction over those cases.

SB 756 received a hearing in the Senate Finance committee, but no further action was taken.

Senate Bill 811

Unemployment Insurance – Computation of Earned Rate of Contribution – Applicable Table of Rates

MD Chamber Position: **Support**

MD Chamber Policy Committee: Workers' Compensation & Unemployment Insurance

Final Status: **Passed Enrolled**

CHAMBER
SUPPORTED
PASSED

SB 811 will require the Governor to include in the annual budget bill for 2022 a certain appropriation to the Unemployment Insurance Trust Fund as well as authorize the appropriation to be used for certain administrative costs (including the repayment of federal funds). In addition to this, this legislation will require that the earned rate of contributions for 2023 be calculated using a certain table of unemployment insurance rates.

The Maryland Chamber of Commerce supported **SB 811** due to its ability to blunt the fiscal impact of rising unemployment premiums as well as provide much needed cost relief as we move toward full economic recovery from COVID-19.

SB 811 passed through the Senate with amendments (47-0) and then through the House (135-0). See a voting breakout on page 33.

Senate Bill 812

Workers' Compensation – Occupational Disease Presumptions – COVID-19

MD Chamber Position: **Oppose**

MD Chamber Policy Committee: Workers' Compensation & Unemployment Insurance

Final Status: **Failed**

CHAMBER
OPPOSED
FAILED

SB 812 would have, given that covered employees are suffering from the effects of severe acute respiratory syndrome coronavirus 2, determined that such employees have an occupational disease that was suffered in the line of duty or course of employment and, therefore, are eligible to receive compensation. An individual who is eligible for benefits must provide a copy of a test or written documentation to the employer/insurer.

The Maryland Chamber of Commerce opposed **SB 812** since it could open the door to compensation for other common, community diseases such as the flu. In addition, the Workers' Compensation Commission is already hearing and finding COVID-19 claims compensable on a case-by-case basis and should have jurisdiction over those cases.

SB 812 received a hearing in the Senate Finance committee, but no further action was taken.



Workers' Compensation & Unemployment Insurance (cont.)

Senate Bill 811 - Unemployment Insurance - Computation of Earned Rate of Contribution - Applicable Table of Rates

SB 811 SENATE - Voting Yea - 47

Mrs President

Augustine	Eckardt	Hayes	Kelley	Peters	Sydnor
Bailey	Edwards	Hershey	King	Pinsky	Waldstreicher
Beidle	Elfreth	Hester	Klausmeier	Ready	Washington
Benson	Ellis	Hettleman	Kramer	Reilly	West
Carozza	Feldman	Hough	Lam	Rosapepe	Young
Carter	Gallion	Jackson	Lee	Salling	Zucker
Cassilly	Griffith	Jennings	McCray	Simonaire	
Corderman	Guzzone	Kagan	Patterson	Smith	

SB 811 SENATE - Voting Nay - 0

SB 811 HOUSE - Voting Yea - 135

Speaker	Cardin	Forbes	Kaiser	Metzgar	Shoemaker
Acevero	Carey	Fraser-Hidalgo	Kelly	Moon	Smith
Adams	Carr	Ghrist	Kerr	Morgan	Solomon
Amphrey	Chang	Gilchrist	Kipke	Novotny	Stein
Anderton	Charkoudian	Grammer	Kittleman	Otto	Stewart
Arentz	Charles	Griffith	Korman	Palakovich Carr	Szeliga
Arikan	Chisholm	Guyton	Krebs	Parrott	Terrasa
Attar	Ciliberti	Harrison	Krimm	Patterson	Thiam
Atterbeary	Clark	Hartman	Lehman	Pena-Melnyk	Turner
Bagnall	Clippinger	Healey	Lewis, J.	Pendergrass	Valderrama
Barnes, B.	Conaway	Henson	Lewis, R.	Pippy	Valentino-Smith
Barnes, D.	Cox	Hill	Lierman	Proctor	Washington
Barron	Crosby	Holmes	Lisanti	Qi	Watson, C.
Barve	Crutchfield	Hornberger	Long	Queen	Wells
Beitzel	Cullison	Howard	Lopez	Reilly	Wilkins
Belcastro	Davis, D.E.	Impallaria	Love	Reznik	Williams
Bhandari	Davis, D.M.	Ivey	Luedtke	Rogers	Wilson
Boteler	Dumais	Jackson.	Malone	Rose	Wivell
Boyce	Ebersole	Jacobs	Mangione	Rosenberg	Young, K.
Branch, C.	Feldmark	Jalisi	Mautz	Ruth	Young, P.
Branch, T.	Fennell	Johnson	McComas	Saab	
Brooks	Fisher, M.	Jones, D.	McIntosh	Sample-Hughes	
Buckel	Fisher, W.	Jones, R.	McKay	Shetty	

SB 811 HOUSE - Voting Nay - 0

Policy Committees

OVERVIEW

The Maryland Chamber of Commerce's subject matter committees bring expertise and experience to the Chamber's advocacy efforts. These committees help guide the Chamber's agenda for policy areas including health care, civil liability and business law.

During Maryland's legislative session, our government affairs team reviews recently introduced bills and resolutions and identifies specific pieces of legislation of particular interest to our members. Our team then compiles these bills and distributes them to the relevant policy committee chair(s) to review and approve for consideration. The list of bills for consideration is then sent to the full committee for review before the committee's scheduled conference call. During this conference call, members weigh each issue and decide which position the Chamber should take, if any, and make recommendations to the larger Chamber's Legislative Committee. The Chamber's Legislative Committee will ultimately vote on and approve each of the Chamber's positions. Chamber positions can include: Support, Support with Amendment, Oppose, Hold/Monitor.

For more information or to join a committee, go to mdchamber.org and click on Advocacy/Policy Committees, or email Vice President of Government Affairs **Andrew Griffin** at agriffin@mdchamber.org for more information.



LEGISLATIVE *By invitation only*

This committee develops the Chamber's position on legislation affecting the business community.



CYBER & TECHNOLOGY COMMITTEE

This committee covers issues related to growing and retaining biotechnology, cybersecurity, and other high-tech business innovators, including a focus on industry infrastructure needs.



BUSINESS REGULATION & OPERATIONS COMMITTEE

This committee was first introduced for the 2018 session, and addresses legislative and regulatory issues affecting daily operational activities of businesses.



EDUCATION & WORKFORCE DEVELOPMENT COMMITTEE

This committee covers issues addressing education and workforce development and the need for Maryland's students to have affordable access to quality educational and skills-training systems that prepare them for college or career, and the need for Maryland's trades and businesses to hire and retain workers with the right skills and qualifications.



CIVIL LIABILITY COMMITTEE

This committee covers all issues related to tort reform and civil liability of businesses, including opposing efforts to expand exposure to liability and damages (including punitive and non-economic damages) and weaken defenses available to businesses.



ENERGY & ENVIRONMENT COMMITTEE

This committee covers all energy and environmental issues. Interest areas include renewable energy sources, stormwater and waste management, pollution control and land use.

Policy **Committees** (cont.)



HEALTH CARE & PHARMA COMMITTEE

This committee covers all healthcare issues, including cost factors, mandated health benefit demands, and regulatory oversights and requirements relative to improving Maryland's current market-based health care system to control costs and improve affordable access to coverage. Additionally, this committee will address issues regarding legislative interaction in the pharmaceutical discovery and development processes and related areas.



TAXATION COMMITTEE

This committee covers all taxation issues impacting Maryland's tax climate with the goal of strengthening that climate to help attract and retain businesses, workers, and investment.



TRANSPORTATION COMMITTEE

This committee covers all transportation issues, coordinating a broad-based coalition of businesses, trade groups, and associations to advance short- and long-term solutions to statewide transportation and transit needs.



LABOR & EMPLOYMENT COMMITTEE

This committee covers all employment law and workplace regulation issues including mandatory paid leave, paid sick leave insurance, pre-emption of local laws on labor issues, public accommodation laws, noncompete agreements, \$15 minimum wage, and predictive/restrictive scheduling.



WORKERS' COMPENSATION & UNEMPLOYMENT INSURANCE COMMITTEE

This committee covers all workers' compensation and unemployment insurance issues.

YOUR VOICE MATTERS

Lend your voice to shape the future of Maryland's economy. As an advocate with the Maryland Chamber of Commerce, you join a 5,500 member-strong grassroots collective of business thought leaders and a full-time, dedicated government affairs team with strong relationships in Annapolis and on Capitol Hill.

Through our 11 policy committees, you can have an active role in influencing the public policy that affects your business—with a partner that protects your interests. For more information about membership, contact Vice President of Membership & Development **Whitney Harmel** at wharmel@mdchamber.org or 410-269-0642 x1117.