K2 7lr0159 CF SB 21

By: Chair, Economic Matters Committee (By Request - Departmental - Labor, Licensing and Regulation)

Introduced and read first time: January 18, 2017

Assigned to: Economic Matters

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22

8-629.

	A BILL ENTITLED				
1	AN ACT concerning				
2	Unemployment Insurance - Recovery of Benefits - Collection by Assessment				
3 4 5 6 7	FOR the purpose of authorizing the Secretary of Labor, Licensing, and Regulation to recover unemployment insurance benefits by assessment in the same manner as provided in a certain provision of law for the assessment of past due contributions; and generally relating to the recovery of unemployment insurance benefits by assessment.				
8 9 10 11 12	BY repealing and reenacting, without amendments, Article – Labor and Employment Section 8–629 and 8–809(a) Annotated Code of Maryland (2016 Replacement Volume)				
13 14 15 16 17	BY repealing and reenacting, with amendments, Article – Labor and Employment Section 8–809(d) Annotated Code of Maryland (2016 Replacement Volume)				
18 19	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:				
20	Article – Labor and Employment				

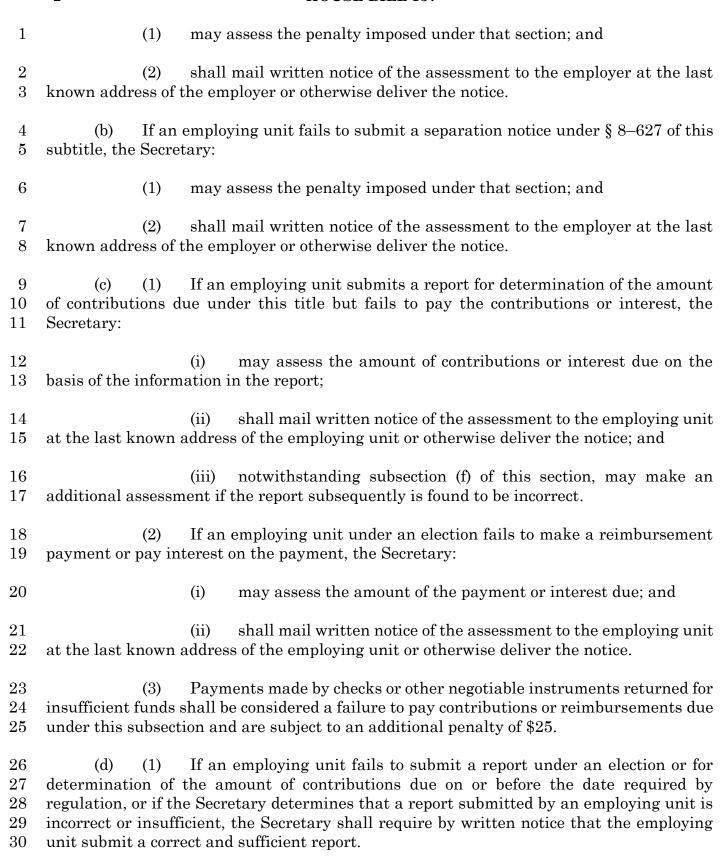
If an employing unit fails to submit a contribution and employment report 23 under § 8–626 of this subtitle, the Secretary:



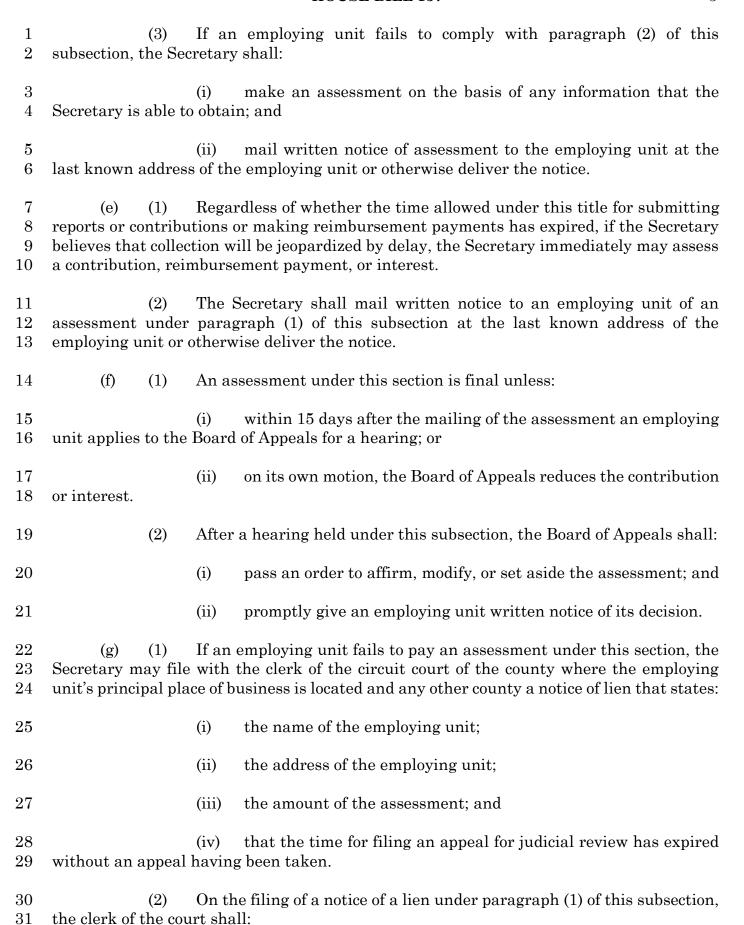
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10 days after the Secretary requires it.



An employing unit shall submit a correct and sufficient report within



1		(i)	record and index the lien; and	
2		(ii)	enter the lien in the judgment docket of the court.	
3	(3)	The d	ocket entry shall include:	
4		(i)	the name of the person whose property is subject to the lien; and	
5		(ii)	the amount and date of the lien.	
6 7 8 9 10	(h) (1) On entry in the judgment docket of the information under subsection (e) of this section, the amount of the assessment, court costs, recording costs, and interest that continues to accrue on the assessment are a lien on the real and personal property of the employer against whom the assessment is made in the same manner and having the same force and effect as a judgment lien.			
11 12	(2) No property that an employer uses in connection with its business is exempt from the lien.			
13	8–809.			
14 15				
16	(1)	the cl	aimant was not unemployed;	
17	(2)	the cl	aimant received or retroactively was awarded wages; or	
18 19	(3) claimant is disqua		o a redetermination of an original claim by the Secretary, the rotherwise ineligible for benefits.	
20	(d) The S	Secreta	ry may recover an amount under subsection (a) of this section:	
21	(1)	by de	duction from benefits payable to the claimant in the future;	
22 23	(2) due contributions;		e manner provided in \S 8–630 of this title for the collection of past	
24 25	(3) OF THIS TITLE FO		SSESSMENT IN THE SAME MANNER AS PROVIDED IN § 8–629 ASSESSMENT OF PAST DUE CONTRIBUTIONS; OR	
26 27	[(3)] permitted under:	(4)	through other reasonable means of collection, including those	
28		(i)	State law for the collection of debts owed to the State; or	

- 1 (ii) federal law.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 3 $\,$ 1, 2017.