HOUSE BILL 135

C47 lr 0099

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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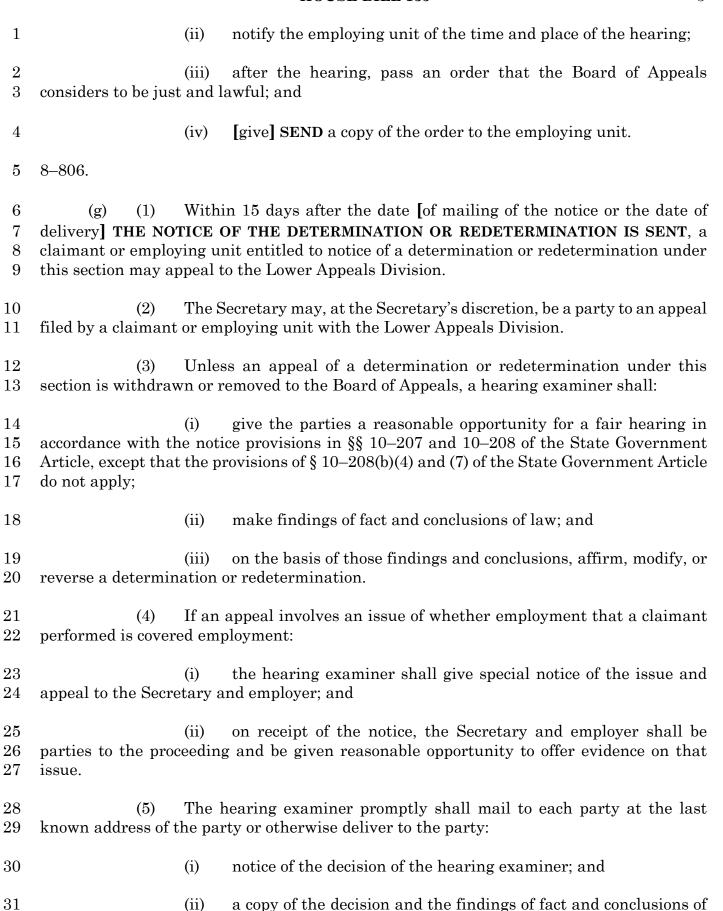
8-108.

A BILL ENTITLED

1	AN ACT concerning
2 3	Unemployment Insurance – Electronic Transmission of Information and Documents – Authority
4 5 6 7 8	FOR the purpose of authorizing the Department of Labor, Licensing, and Regulation, individuals, and employers to electronically send certain information and documents relating to unemployment insurance; requiring the Department to adopt certain regulations; making conforming changes; and generally relating to the electronic transmission of information and documents under unemployment insurance law.
9 10 11 12 13	BY adding to Article – Labor and Employment Section 8–108 Annotated Code of Maryland (2016 Replacement Volume)
14 15 16 17 18	BY repealing and reenacting, with amendments, Article – Labor and Employment Section 8–629(f), 8–638(e), and 8–806(g) Annotated Code of Maryland (2016 Replacement Volume)
19 20	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
21	Article – Labor and Employment



- NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE 1 (A) 2 GOVERNING METHODS OF DELIVERY, AN INDIVIDUAL OR EMPLOYER MAY 3 ELECTRONICALLY SEND TO THE DEPARTMENT INFORMATION, A REPORT, A 4 REQUEST, OR A DOCUMENT, INCLUDING A REQUEST FOR A DETERMINATION, A REDETERMINATION, OR AN APPEAL. 5 6 (B) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE GOVERNING 7 METHODS OF DELIVERY, THE DEPARTMENT MAY ELECTRONICALLY SEND A 8 DETERMINATION, A REDETERMINATION, AN APPEALS DECISION, A NOTICE, OR ANY 9 OTHER DOCUMENT PROVIDED TO AN INDIVIDUAL OR EMPLOYER UNDER THIS TITLE.
- 10 (C) THE DEPARTMENT SHALL ADOPT REGULATIONS ESTABLISHING THE 11 METHODS AND MEANS FOR ELECTRONICALLY SENDING INFORMATION AND 12 DOCUMENTS UNDER THIS SECTION.
- 13 8–629.
- 14 (f) (1) An assessment under this section is final unless:
- 15 (i) within 15 days after the [mailing of the] assessment IS SENT, an 16 employing unit applies to the Board of Appeals for a hearing; or
- 17 (ii) on its own motion, the Board of Appeals reduces the contribution 18 or interest.
- 19 (2) After a hearing held under this subsection, the Board of Appeals shall:
- 20 (i) pass an order to affirm, modify, or set aside the assessment; and
- 21 (ii) promptly give an employing unit written notice of its decision.
- 22 8–638.
- 23 (e) (1) If a claim for an adjustment or refund is rejected, the Secretary shall 24 [mail] SEND a written notice of rejection to the employing unit.
- 25 (2) (i) Within 15 days after receiving a notice of rejection, the employing 26 unit may petition the Appeals Board for a formal hearing.
- 27 (ii) The petition shall state the grounds on which the refund or 28 adjustment is claimed.
- 29 (3) The Board of Appeals shall:
- 30 (i) grant a hearing requested under this subsection;



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law that support the decision.

- 1 (6) A decision under this subsection is final unless within 15 days after the 2 mailing or other delivery of notice of the decision, further review is initiated under 3 subsection (h) of this section.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 5 October 1, 2017.