

SENATE BILL 70

K2

7lr0964

(PRE-FILED)

By: **Senator Waugh**

Requested: October 24, 2016

Introduced and read first time: January 11, 2017

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 24, 2017

CHAPTER _____

1 AN ACT concerning

2 **Unemployment Insurance – Exemption From Covered Employment – Youth**
3 **Sports ~~Organization Volunteers~~ Workers**

4 FOR the purpose of providing that, under certain circumstances, work that is performed by
5 ~~volunteers~~ certain workers for youth sports organizations is not covered employment
6 under the unemployment insurance law; defining certain terms; and generally
7 relating to exemptions from covered employment under unemployment insurance
8 law.

9 BY adding to

10 Article – Labor and Employment
11 Section 8–206(i)
12 Annotated Code of Maryland
13 (2016 Replacement Volume)

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

16 **Article – Labor and Employment**

17 8–206.

18 **(I) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE**
19 **MEANINGS INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(II) "COMPENSATION" DOES NOT INCLUDE THE ACTUAL AND NECESSARY EXPENSES THAT ARE:

1. INCURRED BY A ~~VOLUNTEER~~ QUALIFYING YOUTH SPORTS WORKER IN CONNECTION WITH THE SERVICES PROVIDED OR DUTIES PERFORMED FOR THE YOUTH SPORTS ORGANIZATION; AND

2. REIMBURSED TO THE ~~VOLUNTEER~~ QUALIFYING YOUTH SPORTS WORKER ~~OR OTHERWISE PAID BY THE YOUTH SPORTS ORGANIZATION.~~

(III) "~~VOLUNTEER~~ QUALIFYING YOUTH SPORTS WORKER" MEANS AN INDIVIDUAL WHO PROVIDES SERVICES OR PERFORMS DUTIES AS AN ATHLETIC COACH, MANAGER, PROGRAM LEADER, OR TEAM ASSISTANT FOR COMPENSATION NOT EXCEEDING ~~\$5,000~~ \$1,250 PER QUARTER OF A CALENDAR YEAR FOR EITHER THE CURRENT CALENDAR YEAR OR THE PRECEDING CALENDAR YEAR.

(IV) 1. "YOUTH SPORTS ORGANIZATION" MEANS AN ATHLETIC OR RECREATIONAL PROGRAM:

A. ORGANIZED FOR COMPETITION AGAINST ANOTHER TEAM, CLUB, OR ENTITY OR FOR ATHLETIC INSTRUCTION EXCLUSIVELY FOR PARTICIPANTS WHO ARE UNDER THE AGE OF 19 YEARS;

B. ~~ORGANIZED FOR PLEASURE, RECREATION, OR OTHER NONPROFIT PURPOSES~~ THAT IS QUALIFIED UNDER § 501(C)(4) OR § 501(C)(7) OF THE INTERNAL REVENUE CODE IN THE CURRENT CALENDAR QUARTER;

C. THAT DOES NOT HAVE ANY PART OF THE NET EARNINGS BENEFITING ANY PRIVATE SHAREHOLDER; AND

D. THAT HAS AN ADULT EMPLOYEE OR A ~~VOLUNTEER~~ QUALIFYING YOUTH SPORTS WORKER WHO HAS SUPERVISORY OR DISCIPLINARY AUTHORITY OVER YOUTH PARTICIPANTS.

2. "YOUTH SPORTS ORGANIZATION" DOES NOT INCLUDE:

A. A PUBLIC OR PRIVATE EDUCATIONAL INSTITUTION'S ATHLETIC PROGRAM; OR

B. A SCHOOL-ASSOCIATED ATHLETIC ACTIVITY.

1 (2) ~~WORK THAT IS PERFORMED BY A VOLUNTEER~~ QUALIFYING YOUTH
2 SPORTS WORKER FOR A YOUTH SPORTS ORGANIZATION IS NOT COVERED
3 EMPLOYMENT.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.