HOUSE BILL 1424

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EMERGENCY BILL ENROLLED BILL

(5lr1865)

— Appropriations/Budget and Taxation —

Introduced by Delegates J. Lewis, Feldmark, Allen, Amprey, Behler, Boafo, Cardin, Charkoudian, Clippinger, Fair, Foley, Guzzone, Harrison, Healey, Holmes, Ivey, D. Jones, Kaufman, Korman, R. Lewis, Mireku-North, Moon, Palakovich Carr, Pasteur, Pruski, Roberts, Simmons, Solomon, Spiegel, Stein, Stewart, Terrasa, Toles, Valderrama, Vogel, Wells, White Holland, Williams, Wolek, and Ziegler Ziegler, Barnes, Chang, Acevero, Edelson, Forbes, Harris, McCaskill, Ruff, Schindler, Shetty, and Watson

Read and Examined by Proofreaders: Proofreader. Proofreader. Sealed with the Great Seal and presented to the Governor, for his approval this day of _____ at ____ o'clock, ____M. Speaker. CHAPTER AN ACT concerning Catastrophic Event Account and, Federal Government Shutdown Employee Assistance Loan Fund, and Powers of the Attorney General - Alterations Support and Protections for Individuals Affected by Federal Actions (Protect Our Federal Workers Act) FOR the purpose of renaming the Federal Government Shutdown Employee Assistance Loan Fund to be the Federal Government Employee Assistance Loan Fund; authorizing funds appropriated to the Catastrophic Event Account to be expended to assist in funding costs in connection with a closure, relocation, or mass layoff of a

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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

Italics indicate opposite chamber/conference committee amendments.



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BY adding to

1 unit of the federal government, or other similar circumstances; altering the purpose 2 of the Fund and the eligibility criteria to receive loans from the Fund; authorizing 3 the Maryland Department of Labor to disclose certain information to a third-party 4 vendor for a certain purpose and to forgive a loan from the Fund; expanding the authority of the Attorney General to take certain actions under certain 5 6 circumstances; increasing the amount the Governor is required to appropriate in the 7 proposed budget each year to the Attorney General to be used for certain purposes: 8 altering a requirement that the Attorney General use a certain appropriation to 9 employ a certain number of attorneys; establishing the Expedited Hiring Program in the Department of Budget and Management; authorizing an appointing authority to 10 recruit for certain vacant positions in State government under certain circumstances: 11 authorizing the Secretary of Budget and Management to contract with a certain entity 12 for a certain purpose; authorizing the disclosure of certain tax information to the 13 Maryland Department of Labor for certain purposes; requiring the Maryland 14 15 Department of Labor to conduct certain research and make a certain report; 16 authorizing the Governor to make certain transfers of funds subject to the review and comment of the Legislative Policy Committee; and generally relating to the 17 Catastrophic Event Account and, the Federal Government Employee Assistance 18 Loan Fund, and the powers of the Attorney General, and the Expedited Hiring 19 Program and the Department of Budget and Management. 20

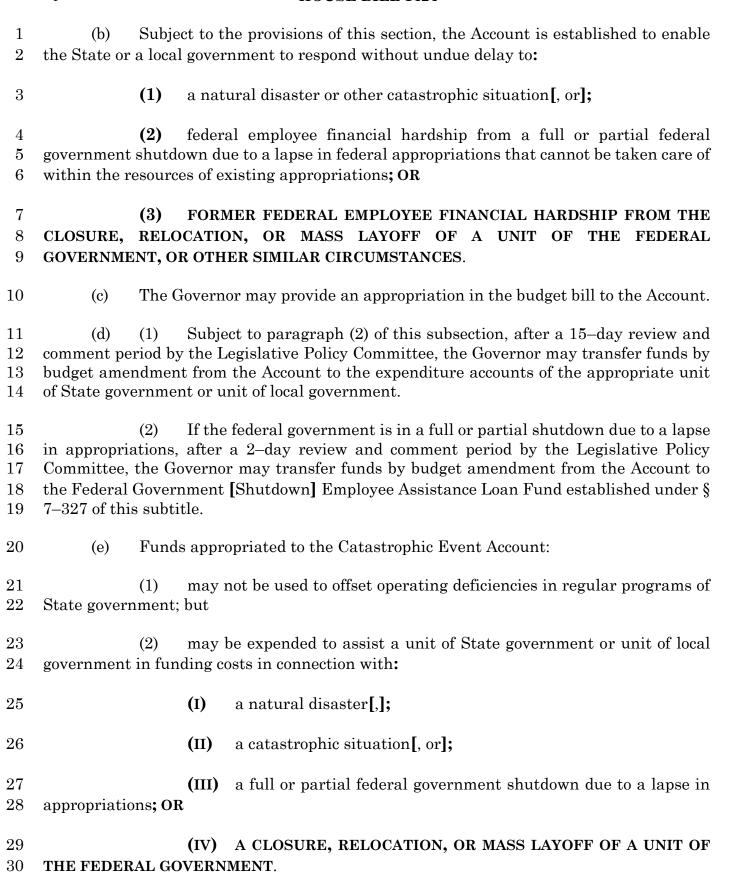
21	BY repealing and reenacting, without amendments,
22	Article – State Finance and Procurement
23	Section 6–226(a)(1) and (2)(i)
24	Annotated Code of Maryland
25	(2021 Replacement Volume and 2024 Supplement)
26	BY repealing and reenacting, with amendments,
27	Article – State Finance and Procurement
28	Section 6–226(a)(2)(ii)118., 7–324, and 7–327
29	Annotated Code of Maryland
30	(2021 Replacement Volume and 2024 Supplement)
31	BY repealing and reenacting, with amendments,
32	<u>Article – State Government</u>
33	<u>Section 6–106.1</u>
34	Annotated Code of Maryland
35	(2021 Replacement Volume and 2024 Supplement)
36	BY repealing and reenacting, without amendments,
37	Article – State Personnel and Pensions
38	Section 1–101(a), (b), (f), (i), (k), (m), and (p)

Annotated Code of Maryland

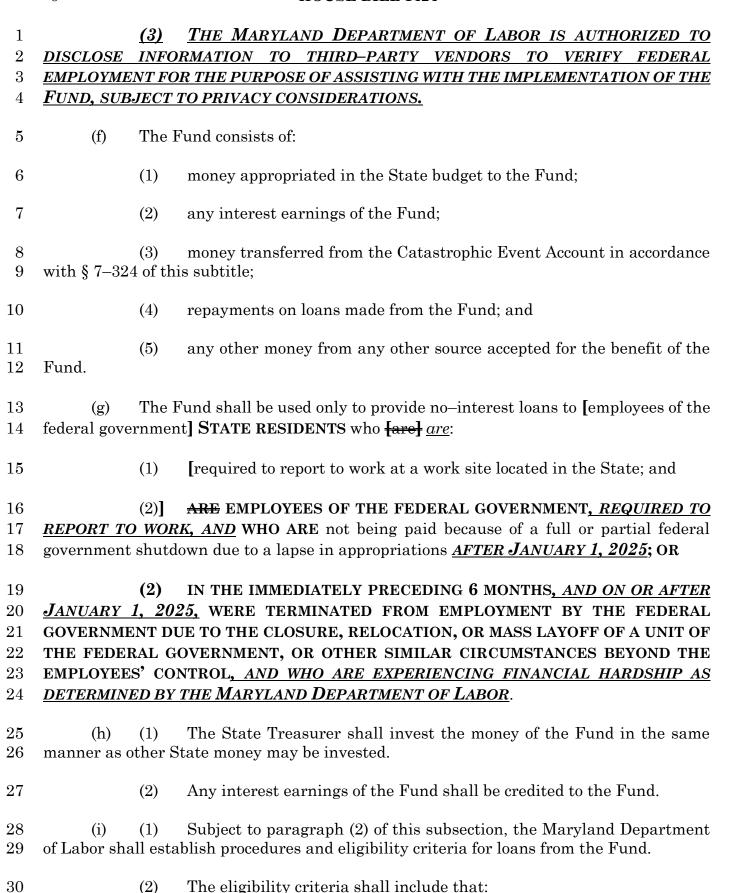
Article – State Personnel and Pensions

(2024 Replacement Volume and 2024 Supplement)

1 2 3	<u>Section 7–201.1</u> <u>Annotated Code of Maryland</u> (2024 Replacement Volume and 2024 Supplement)
4 5 6 7 8	BY repealing and reenacting, with amendments, Article - Tax - General Section 13-203(c)(17) and (18) Annotated Code of Maryland (2022 Replacement Volume and 2024 Supplement)
9 10 11 12 13	BY adding to Article - Tax - General Section 13-203(c)(19) Annotated Code of Maryland (2022 Replacement Volume and 2024 Supplement)
14 15	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
16	Article - State Finance and Procurement
17	6–226.
18 19 20	(a) (1) Except as otherwise specifically provided by law or by regulation of the Treasurer, the Treasurer shall credit to the General Fund any interest on or other income from State money that the Treasurer invests.
21 22	(2) (i) 1. This subparagraph does not apply in fiscal years 2024 through 2028.
23 24 25 26 27 28	2. Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.
29 30	(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:
31 32	118. the Federal Government [Shutdown] Employee Assistance Loan Fund;
33	7–324.
34	(a) In this section, "Account" means the Catastrophic Event Account.



- 1 (f) (1) The Account is a continuing, nonlapsing fund which is not subject to § 2 7–302 of this subtitle.
- 3 (2) The Treasurer shall separately hold, and the Comptroller shall account 4 for, the Account.
- 5 (3) The Account shall be invested and reinvested in the same manner as 6 other State funds.
- 7 (4) Any investment earnings shall be subject to § 7–311(d) of this subtitle.
- 8 (g) Money appropriated to the Account does not revert to the Revenue 9 Stabilization Account.
- 10 7-327.
- 11 (a) In this section, "Fund" means the Federal Government [Shutdown] Employee 12 Assistance Loan Fund.
- 13 (b) There is a Federal Government [Shutdown] Employee Assistance Loan Fund.
- 14 (c) The purpose of the Fund is to provide loans to [employees of the federal government] STATE RESIDENTS who [are] are:
- 16 (1) [required to report to work at a work site located in the State; and
- 17 (2)] ARE EMPLOYEES OF THE FEDERAL GOVERNMENT, REQUIRED TO
 18 REPORT TO WORK, AND WHO ARE not being paid because of a full or partial federal
 19 government shutdown due to a lapse in appropriations AFTER JANUARY 1, 2025; OR
- 20 (2) IN THE IMMEDIATELY PRECEDING 6 MONTHS, AND ON OR AFTER
 21 JANUARY 1, 2025, WERE TERMINATED FROM EMPLOYMENT BY THE FEDERAL
 22 GOVERNMENT DUE TO THE CLOSURE, RELOCATION, OR MASS LAYOFF OF A UNIT OF
 23 THE FEDERAL GOVERNMENT, OR OTHER SIMILAR CIRCUMSTANCES BEYOND THE
 24 EMPLOYEES' CONTROL, AND WHO ARE EXPERIENCING FINANCIAL HARDSHIP AS
 25 DETERMINED BY THE MARYLAND DEPARTMENT OF LABOR.
- 26 (d) The Maryland Department of Labor shall administer the Fund.
- 27 (e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of this subtitle that shall be available in perpetuity for the purpose of providing loans in accordance with the provisions of this section.
- 30 (2) The State Treasurer shall hold the Fund separately, and the 31 Comptroller shall account for the Fund.



$\frac{1}{2}$	(i) ${\bf 1.}$ the federal government is in a full or partial shutdown due to a lapse in appropriations; ${\bf OR}$
3 4 5	2. A UNIT OF THE FEDERAL GOVERNMENT HAS BEEN CLOSED, BEEN RELOCATED, EXPERIENCED MASS LAYOFFS, OR EXPERIENCED OTHER SIMILAR CIRCUMSTANCES; and
6 7	(ii) an individual applying for a loan from the Fund is, <i>A RESIDENT</i> OF THE STATE WHO IS:
8	1. A RESIDENT OF THE STATE; AND
9 10 11 12	2. A. 1. an employee of the federal government WHO IS, REQUIRED TO REPORT TO WORK, AND NOT BEING PAID BECAUSE OF THE FULL OR PARTIAL FEDERAL GOVERNMENT SHUTDOWN DUE TO THE LAPSE IN APPROPRIATIONS AFTER JANUARY 1, 2025; OR
13 14	[2. required to report to work at a work site located in the State; and
15 16	3. not being paid because of the full or partial federal government shutdown due to the lapse in appropriations]
17 18 19 20 21 22 23 24	GOVERNMENT WHO, WITHIN THE 6 MONTHS IMMEDIATELY PRECEDING THE DATE OF THE LOAN APPLICATION, AND ON OR AFTER JANUARY 1, 2025, WAS TERMINATED FROM EMPLOYMENT BY THE FEDERAL GOVERNMENT DUE TO THE CLOSURE, RELOCATION, OR MASS LAYOFF OF A UNIT OF THE FEDERAL GOVERNMENT, OR OTHER SIMILAR CIRCUMSTANCES BEYOND THE INDIVIDUAL'S CONTROL, AND WHO IS EXPERIENCING FINANCIAL HARDSHIP AS DETERMINED BY THE MARYLAND DEPARTMENT OF LABOR.
25 26	(3) THE MARYLAND DEPARTMENT OF LABOR MAY ESTABLISH OTHER CRITERIA TO BEST ASSIST FEDERAL EMPLOYEES FACING FINANCIAL HARDSHIP.
27	(3) (4) The procedures shall include:
28	(i) application procedures;
29	(ii) payment procedures from the Fund; and
30 31	(iii) <u>IF REPAYMENT IS REQUIRED</u> , repayment procedures, including timelines, for an individual to repay a loan from the Fund.

1 2	(4) (5) THE MARYLAND DEPARTMENT OF LABOR MAY FORGIVE A LOAN PROVIDED UNDER THIS SECTION.
3	<u>Article - State Government</u>
4	<u>6–106.1.</u>
5	(a) The General Assembly finds that:
6 7	(1) the federal government's action or failure to take action may pose a threat to the health and welfare of the residents of the State; and
8 9 10	(2) the State should investigate and obtain relief from any arbitrary, unlawful, or unconstitutional federal action or inaction and prevent such action or inaction from harming the residents of the State.
11 12 13 14 15	(b) (1) In addition to any other powers and duties and subject to the requirements of this subsection, the Attorney General may investigate, commence, and prosecute or defend any civil or criminal suit or action that is based on the federal government's action or inaction that threatens the public interest and welfare of the residents of the State with respect to:
16 17	(i) protecting the health of the residents of the State and ensuring the availability of affordable health care;
18	(ii) safeguarding public safety and security;
19	(iii) protecting civil liberties;
20 21	(iv) preserving and enhancing the economic security of workers and retirees;
22 23 24	(v) protecting financial security of the residents of the State, including their pensions, savings, and investments, and ensuring fairness in mortgages, student loans, and the marketplace;
25 26	(vi) protecting the residents of the State against fraud and other deceptive and predatory practices;
27	(vii) protecting the natural resources and environment of the State;
28 29	(viii) protecting the residents of the State against illegal and unconstitutional federal immigration and travel restrictions; [or]
30 31	(IX) PROTECTING RESIDENTS OF THE STATE WHO ARE EMPLOYEES OF THE FEDERAL GOVERNMENT WHO ARE NOT BEING PAID BECAUSE OF

$\frac{1}{2}$	A FULL OR PARTIAL FEDERAL GOVERNMENT SHUTDOWN DUE TO A LAPSE IN APPROPRIATIONS;
3 4	(X) PROTECTING RESIDENTS OF THE STATE WHO WERE EMPLOYEES OF THE FEDERAL GOVERNMENT, AND ON OR AFTER JANUARY 1, 2025:
5 6 7 8	1. WERE TERMINATED FROM EMPLOYMENT BY THE FEDERAL GOVERNMENT DUE TO THE CLOSURE, RELOCATION, OR MASS LAYOFF OF A UNIT OF THE FEDERAL GOVERNMENT, OR OTHER SIMILAR CIRCUMSTANCES BEYOND THE EMPLOYEES' CONTROL; OR
9 10	2. SEPARATED FROM EMPLOYMENT BY THE FEDERAL GOVERNMENT AS A RESULT OF A VOLUNTARY SEPARATION INCENTIVE PAYMENT;
11 12 13 14	(XI) PROTECTING RESIDENTS OF THE STATE WHO ARE INAPPROPRIATELY DENIED FEDERAL BENEFITS THAT THEY HAVE EARNED, INCLUDING SOCIAL SECURITY BENEFITS, MEDICARE, AND VETERANS AFFAIRS BENEFITS;
15 16	(XII) PROTECTING RESIDENTS OF THE STATE WHO ARE INAPPROPRIATELY DENIED FEDERAL ENTITLEMENTS, INCLUDING MEDICAID; OR
17 18	[(ix)] (XII) otherwise protecting, as parens patriae, the State's interest in the general health and well-being of its residents.
19 20 21	(2) Except as provided in paragraph (4) of this subsection, before commencing a suit or an action under paragraph (1) of this subsection, the Attorney General shall provide to the Governor:
22	(i) written notice of the intended suit or action; and
23 24	(ii) an opportunity to review and comment on the intended suit or action.
25 26	(3) If the Governor objects to the intended suit or action for which notice was provided under this subsection:
27 28	(i) the Governor shall provide in writing to the Attorney General the reasons for the objection within 10 days after receiving the notice; and
29 30 31	(ii) except as provided in paragraph (4) of this subsection, the Attorney General shall consider the Governor's objection before commencing the suit or action.

1 2 3 4	(4) If the Attorney General determines that emergency circumstances require the immediate commencement of a suit or an action under paragraph (1) of this subsection, the Attorney General shall provide to the Governor notice of the suit or action as soon as reasonably practicable.
5 6 7	(c) The Governor's proposed budget for fiscal year 2019, and for each fiscal year thereafter, shall appropriate at least [\$1,000,000] \$2,500,000 to the Attorney General to be used only for:
8	(1) carrying out this section; and
9	(2) employing [five] attorneys in the Office of the Attorney General.
10 11	<u>SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read</u> <u>as follows:</u>
12	<u> Article – State Personnel and Pensions</u>
13	<u>1–101.</u>
14 15	(a) In this Division I of this article the following words have the meanings indicated.
16 17	(b) "Appointing authority" means an individual or a unit of government that has the power to make appointments and terminate employment.
18 19	(f) Unless expressly provided otherwise, "Department" means the Department of Budget and Management.
20 21 22	(j) "Position" means an employment assignment of duties and responsibilities that requires the full-time employment of one individual or less than full-time employment of one or more individuals.
23	(k) "Principal unit" means:
24 25	(1) <u>a principal department or other principal independent unit of State</u> government; or
26 27	(2) for an employee of a county board of elections whose employees are covered by this article, the county board of elections.
28	(m) "Secretary" means the Secretary of Budget and Management.
29 30	(p) <u>"State Personnel Management System" means the personnel system established</u> under § 6–101 of this article.

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- 2 (A) IN THIS SECTION, "PROGRAM" MEANS THE EXPEDITED HIRING
 3 PROGRAM IN THE DEPARTMENT.
- 4 (B) (1) There is an Expedited Hiring Program in the Department
- 5 FOR THE PURPOSE OF HIRING ELIGIBLE APPLICANTS FOR VACANT POSITIONS IN THE
- 6 STATE PERSONNEL MANAGEMENT SYSTEM SUBJECT TO THE REQUIREMENTS OF
- 7 THIS SECTION.
- 8 (2) SUBJECT TO THE AVAILABILITY OF FUNDS, THE SECRETARY MAY
- 9 CONTRACT WITH ANOTHER ENTITY TO ASSIST WITH THE IMPLEMENTATION OF THE
- 10 *PROGRAM*.
- 11 (C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, AN
- 12 **APPOINTING AUTHORITY:**
- 13 (1) MAY RECRUIT FOR A VACANT POSITION IN ACCORDANCE WITH
- 14 THIS SECTION; AND
- 15 (2) SHALL AIM TO COMPLETE THE RECRUITMENT FOR THE POSITION
- 16 *WITHIN 40 DAYS*.
- 17 (D) AN ELIGIBLE APPLICANT FOR THE PROGRAM SHALL BE AN INDIVIDUAL
- 18 APPLYING FOR A VACANT POSITION IN STATE GOVERNMENT WHO:
- 19 (1) SELF-CERTIFIES AND, ON REQUEST, PROVIDES DOCUMENTATION
- 20 THAT THE INDIVIDUAL:
- 21 (I) HAS SERVED IN THE FEDERAL GOVERNMENT IN ANY
- 22 CAPACITY, INCLUDING DURING A PROBATIONARY PERIOD; AND
- 23 (II) LEFT FEDERAL SERVICE AFTER JANUARY 15, 2025; AND
- 24 (2) HAS RELEVANT FEDERAL EXPERTISE OR EXPERIENCE TO MEET
- 25 THE REQUIREMENTS, BASED ON THE POSITION DESCRIPTION, FOR THE VACANT
- 26 STATE POSITION.
- 27 (E) THE PROGRAM SHALL:
- 28 (1) <u>DEVELOP GUIDANCE FOR APPOINTING AUTHORITIES ON ALIGNING</u>
- 29 JOB TITLES AND POSITION DESCRIPTIONS WITH THE FEDERAL EQUIVALENT
- 30 POSITIONS WITHOUT REQUIRING SUBSTANTIVE CHANGES TO THE DESCRIPTIONS OR
- 31 CLASSIFICATIONS OF THE POSITIONS;

1	(2) CONDUCT MARKETING AND RECRUITMENT ACTIVITIES TO
2	RECRUIT ELIGIBLE APPLICANTS FOR VACANT POSITIONS;
3	(3) RATE THE QUALIFICATIONS OF EACH APPLICANT WHILE A VACANT
4	POSITION IS OPEN;
5	(4) COMMUNICATE WITH APPLICANTS THROUGHOUT THE HIRING
6	PROCESS TO MAINTAIN THE APPLICANTS' INTEREST IN THE POSITION;
7	(5) DEVELOP A PROCESS TO REFER APPLICANTS TO OTHER VACANT
8	POSITIONS IN STATE GOVERNMENT; AND
9	(6) EXPLORE OPPORTUNITIES TO EXPAND THE PROGRAM TO
10	SUPPORT HIRING BY INTERESTED COUNTY GOVERNMENTS.
11	(F) THE SECRETARY SHALL:
	7=X = =================================
12	(1) IMPLEMENT THE PROGRAM IN PHASES, WITH INITIAL FOCUS ON
13	CRITICAL AND HARD-TO-FILL POSITIONS, AS DETERMINED BY THE SECRETARY;
14	(2) ESTABLISH REASONABLE TIMELINES FOR EACH PHASE OF
15	IMPLEMENTATION; AND
16	(3) ADOPT REGULATIONS TO:
17	(I) IMPLEMENT THE DOCCDAM, AND
17	(I) IMPLEMENT THE PROGRAM; AND
18	(II) REVISE THE CONDITIONS FOR ELIGIBILITY UNDER
19	SUBSECTION (D) OF THIS SECTION TO INCLUDE REVIEW OF APPLICATIONS FROM
20	FORMER FEDERAL CONTRACTORS.
01	SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
$\begin{array}{c} 21 \\ 22 \end{array}$	as follows:
	<u>ao jamana.</u>
23	$\underline{Article-Tax-General}$
Ω 4	12 202
24	<u>13–203.</u>
25	(c) Subject to subsections (f) and (g) of this section, tax information may be
26	disclosed to:
07	$(17) \text{the Manufact of } 1 \cdot \text{A.1.} \text{f. } 11$
27	(17) the Maryland Cannabis Administration; [and]

- 1 (18) a person, governmental entity, or tax compliance organization for the purpose of assisting the Comptroller in tax compliance activity; AND
- 3 (19) THE MARYLAND DEPARTMENT OF LABOR TO THE EXTENT 4 NECESSARY TO:
- 5 (I) ADMINISTER THE FEDERAL GOVERNMENT EMPLOYEE
 6 ASSISTANCE LOAN FUND UNDER § 7-327 OF THE STATE FINANCE AND
 7 PROGRESSION ADDRESS A
- 7 PROCUREMENT ARTICLE; OR
- 8 (II) DETECT AND PREVENT FRAUDULENT CLAIMS FOR RELIEF OR
 9 AVOIDANCE OF REPAYMENT REQUIRED UNDER § 7–327 OF THE STATE FINANCE AND
 10 PROCUREMENT ARTICLE.
- 11 <u>SECTION 4. AND BE IT FURTHER ENACTED, That:</u>
- 12 (a) The Maryland Department of Labor shall conduct research and analysis on 13 foreclosure activity in Maryland, particularly as it relates to federal workers, to include, to 14 the extent practicable, federal contractors impacted by layoffs since January 1, 2025.
- (b) On or before December 31, 2025, the Maryland Department of Labor shall
 report to the General Assembly, in accordance with § 2-1257 of the State Government Article,
 on any data findings or trend analysis as it relates to foreclosures in Maryland for this
 worker population.
- 19 <u>SECTION 2. 5. AND BE IT FURTHER ENACTED, That:</u>
- 20 (a) Notwithstanding § 7–311(i) of the State Finance and Procurement Article, after providing the Legislative Policy Committee with at least 7 days to review and comment, the Governor may transfer up to \$5,000,000 from the Revenue Stabilization Account under § 7–311 of the State Finance and Procurement Article to the Federal Government Employee Assistance Loan Fund under § 7–327 of the State Finance and Procurement Article, as enacted by Section 1 of this Act.
- 26 (b) Notwithstanding § 7–311(i) of the State Finance and Procurement Article,
 27 after providing the Legislative Policy Committee with at least 7 days to review and
 28 comment, the Governor may transfer up to \$1,500,000 from the Revenue Stabilization
 29 Account under § 7–311 of the State Finance and Procurement Article to the expenditure
 30 accounts of the Attorney General to fund costs associated with carrying out § 6–106.1 of the
 31 State Government Article, as enacted by Section 1 of this Act.
- 32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 33 1, 2025.
- 34 <u>SECTION 3.</u> 6. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has

14 **HOUSE BILL 1424** 1 been passed by a yea and nay vote supported by three-fifths of all the members elected to 2 each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. Section 2 of this Act shall remain effective through June April 30, 2025 2026, and 3 4 at the end of June April 30, 2025 2026, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. Section 5 of 5 this Act shall remain effective through June 30, 2025, and, at the end of June 30, 2025, 6 7 Section 5 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. 8

Approved:	
	Governor.
	Speaker of the House of Delegates.
	President of the Senate.