

(2) IN THE EVENT THE EMPLOYEE DESIRES TO CHANGE HIS WRITTEN DESIGNATION DURING THE COURSE OF HIS EMPLOYMENT, HE MAY DO SO PROVIDED THAT HE FIRST FILES WITH HIS EMPLOYER WRITTEN NOTICE OF THAT CHANGE NO LATER THAN 30 DAYS PRIOR TO ITS EFFECTIVE DATE.

(3) EMPLOYERS MAY NOT REQUIRE, IN ANY APPLICATION FORM FOR FULL-TIME EMPLOYMENT, ANY PROSPECTIVE EMPLOYEE TO ANSWER ANY QUESTION AS TO WHETHER OR NOT THE EMPLOYEE CHOOSES HIS SABBATH OR SUNDAY AS A DAY OF REST. FOR THE PURPOSES OF THIS SECTION A FULL-TIME EMPLOYEE IS ONE WHOSE NORMAL WORK WEEK IS 25 HOURS OR MORE.

(D) IN ANNE ARUNDEL COUNTY, NOTWITHSTANDING ANY AGREEMENT TO THE CONTRARY, NO PERSON MAY BE REQUIRED TO OPEN HIS PLACE OF BUSINESS ON SUNDAY.

~~(D)~~ (E) (1) AN EMPLOYER WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE FINED NOT MORE THAN \$500 FOR EACH EMPLOYEE INVOLVED, OR FOR EACH OFFENSE, WHICHEVER IS GREATER.

(2) AN EMPLOYER WHO COMPELS A NONMANAGERIAL OR NONPROFESSIONAL EMPLOYEE TO WORK ON THE EMPLOYEE'S CHOSEN DAY OF REST IN VIOLATION OF THIS SECTION SHALL BE LIABLE TO THE EMPLOYEE FOR WAGES AT THE RATE OF THREE TIMES THE EMPLOYEE'S REGULAR RATE OF PAY FOR ALL HOURS WORKED BY THE EMPLOYEE ON HIS CHOSEN DAY OF REST. THE FOREGOING SENTENCE SHALL APPEAR IN ANY APPLICATION FOR EMPLOYMENT.

(3) THIS SECTION MAY NOT BE CONSTRUED TO PERMIT ANY FINE OR PENALTY AGAINST ANY SUPERVISORY EMPLOYEE OR AGENT WHO HAS BEEN CAUSED, DIRECTED, OR AUTHORIZED BY HIS EMPLOYER TO VIOLATE ANY PROVISION OF THIS SECTION, IN WHICH CASE THE EMPLOYER SHALL BE SUBJECT TO THE SANCTIONS PRESCRIBED BY THIS SECTION.

SECTION 4. AND BE IT FURTHER ENACTED, That new Sections 534W, 534W-1, and 534W-2 be and they are hereby added to Article 27 - Crimes and Punishments of the Annotated Code of Maryland (1976 Replacement Volume and 1979 Supplement) to read as follows:

Article 27 - Crimes and Punishments

534W.

(A) THE PROVISIONS OF THIS SECTION APPLY TO ANY RETAIL AND ESTABLISHMENT OR WHOLESALE ESTABLISHMENT THAT OPERATES IN HOWARD COUNTY ON SUNDAY.

(B) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION OR § 534W-1 IT IS UNLAWFUL ON SUNDAY FOR ANY WHOLESALE OR RETAIL ESTABLISHMENT TO CONDUCT BUSINESS FOR LABOR OR PROFIT IN THE USUAL MANNER AND LOCATION OR TO OPERATE ITS ESTABLISHMENT IN ANY MANNER FOR THE GENERAL PUBLIC.
