

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

Article - Labor and Employment

3-413.

Except as provided in § 3-414 of this subtitle, each employer shall pay:

(1) to each employee who is subject to both the federal Act and this subtitle, at least THE GREATER OF:

- (I) the minimum wage for that employee under the federal Act; OR
- (II) A WAGE THAT EQUALS A RATE OF \$6.15 PER HOUR; and

(2) each other employee who is subject to this subtitle, at least ~~THE GREATER OF:~~

(I) THE GREATER OF:

~~(i)~~ 1. the highest minimum wage under the federal Act; OR

~~(ii)~~ 2. A WAGE THAT EQUALS A RATE OF \$6.15 PER HOUR; or

~~[(ii)]~~ a training wage under regulations that the Commissioner adopts that include the conditions and limitations authorized under the federal Fair Labor Standards Amendments of 1989.

3-419.

(a) (1) This section applies to each employee who:

(i) is engaged in an occupation in which the employee customarily and regularly receives more than \$30 each month in tips;

(ii) has been informed by the employer about the provisions of this section; and

(iii) has kept all of the tips that the employee received.

(2) Notwithstanding paragraph (1)(iii) of this subsection, this section does not prohibit the pooling of tips.

(b) Subject to the limitations in this section, an employer may include, as part of the wage of an employee to whom this section applies:

(1) an amount that the employer sets to represent the tips of the employee; or

(2) if the employee or representative of the employee satisfies the Commissioner that the employee received a lesser amount in tips, the lesser amount.

(c) The tip credit amount that the employer may include under subsection (b) of this section may not exceed [\$2.77] 50% OF THE MINIMUM WAGE ESTABLISHED UNDER § 3-413 OF THIS SUBTITLE FOR THE EMPLOYEE.