

# HOUSE BILL 242

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(PRE-FILED)

6lr0112

CF SB 216

By: Chair, Economic Matters Committee (By Request – Departmental – Labor)

Requested: September 16, 2025

Introduced and read first time: January 14, 2026

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

### 2                   **Unemployment Insurance – Confidentiality of Information**

3 FOR the purpose of altering requirements related to the confidentiality of unemployment  
4 insurance information to ensure compliance with federal law and regulations;  
5 altering existing confidentiality provisions related to inspection of employment  
6 records as well as claim information by agents of child support enforcement units;  
7 establishing exceptions to the confidentiality requirement in accordance with federal  
8 law and regulations; establishing penalties for the unauthorized disclosure of  
9 confidential unemployment insurance information by recipients and current and  
10 former employees of the Maryland Department of Labor; and generally relating to  
11 unemployment insurance information.

12 BY repealing and reenacting, with amendments,  
13                  Article – Labor and Employment  
14                  Section 8–101, 8–110, and 8–1305(c)  
15                  Annotated Code of Maryland  
16                  (2025 Replacement Volume)

17 BY adding to  
18                  Article – Labor and Employment  
19                  Section 8–111  
20                  Annotated Code of Maryland  
21                  (2025 Replacement Volume)

22 BY repealing  
23                  Article – Labor and Employment  
24                  Section 8–625(d) and 8–811  
25                  Annotated Code of Maryland  
26                  (2025 Replacement Volume)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

## **Article – Labor and Employment**

4 8-101.

5 (a) In this title the following words have the meanings indicated.

(b) "Base period" means:

(1) the first 4 of the last 5 completed calendar quarters immediately preceding the start of the benefit year; or

(2) the 4 most recently completed calendar quarters immediately preceding the start of the benefit year only if the individual applying for benefits does not qualify for any benefits under § 8–802 of this title using the definition in item (1) of this subsection.

12           (c) "Base period employer" means an employing unit who paid wages to an  
13 individual during the base period of the individual for covered employment.

14 (d) "Benefit year" means a 1-year period that begins:

15 (1) on the 1st day of the 1st week for which an individual first files a claim  
16 for benefits; or

(2) if an individual already has had a benefit year, on the 1st day of the 1st week for which the individual files a claim for benefits after the termination of the preceding benefit year.

20               (e) "Benefits" means the money that is payable under this title to an individual  
21 who is unemployed.

(f) "Board of Appeals" means the Board of Appeals of the Maryland Department of Labor established under § 8-5A-01 of this title.

24               (g) "Calendar quarter" means the period of 3 consecutive calendar months ending  
25 on March 31, June 30, September 30, or December 31, except as otherwise provided by the  
26 Secretary by regulation.

27 (h) "Child support" means an obligation that is enforced under a plan that:

(2) has been approved by the United States Secretary of Health and Human Services under Part D of Title IV of the Social Security Act.

1               (i) "Child support enforcement unit" means a unit of a state or political  
2 subdivision of a state that operates under a plan that:

3               (1) is described in § 454 of the Social Security Act; and

4               (2) has been approved by the United States Secretary of Health and  
5 Human Services under Part D of Title IV of the Social Security Act.

6               **(I-1) (1) "CLAIM INFORMATION" MEANS INFORMATION ABOUT:**

7               **(I) WHETHER AN INDIVIDUAL IS RECEIVING, HAS RECEIVED, OR**  
8 **HAS APPLIED FOR UNEMPLOYMENT INSURANCE;**

9               **(II) THE AMOUNT OF COMPENSATION THE INDIVIDUAL IS**  
10 **RECEIVING OR IS ENTITLED TO RECEIVE; AND**

11               **(III) THE INDIVIDUAL'S CURRENT OR LAST KNOWN HOME**  
12 **ADDRESS.**

13               **(2) FOR PURPOSES OF THE DISCLOSURE OF INFORMATION TO A**  
14 **REQUESTING AGENCY RELATED TO AN INCOME AND ELIGIBILITY VERIFICATION**  
15 **SYSTEM DESCRIBED IN 20 C.F.R. PART 603, "CLAIM INFORMATION" INCLUDES:**

16               **(I) WHETHER THE INDIVIDUAL HAS REFUSED AN OFFER OF**  
17 **WORK AND, IF SO, A DESCRIPTION OF THE JOB OFFERED INCLUDING THE TERMS,**  
18 **CONDITIONS, AND RATE OF PAY; AND**

19               **(II) ANY OTHER INFORMATION CONTAINED IN THE RECORDS OF**  
20 **THE DEPARTMENT THAT IS NEEDED BY THE REQUESTING AGENCY TO VERIFY**  
21 **ELIGIBILITY FOR, AND THE AMOUNT OF, BENEFITS.**

22               (j) "Claimant" means an individual who submits a claim for benefits.

23               (j-1) "Claims examiner" means an individual appointed by the Secretary who  
24 makes determinations or redeterminations of claims under Subtitle 8 of this title.

25               **(J-2) (1) "CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION"**  
26 **MEANS ANY UNEMPLOYMENT INSURANCE INFORMATION IN THE RECORDS OF THE**  
27 **DEPARTMENT THAT:**

28               **(I) REVEALS THE NAME OF OR OTHER IDENTIFYING**  
29 **INFORMATION ABOUT AN INDIVIDUAL;**

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1                           **(II) REVEALS THE NAME OF OR OTHER IDENTIFYING**  
2 **INFORMATION ABOUT A PAST OR PRESENT EMPLOYER OR EMPLOYING UNIT; OR**

3                           **(III) COULD FORESEEABLY BE COMBINED WITH OTHER**  
4 **PUBLICLY AVAILABLE INFORMATION TO REVEAL IDENTIFYING INFORMATION**  
5 **ABOUT AN INDIVIDUAL, EMPLOYER, OR EMPLOYING UNIT.**

6                           **(2) "CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION"**  
7 **INCLUDES:**

8                           **(I) CLAIM INFORMATION; AND**

9                           **(II) WAGE INFORMATION.**

10                          (k) "Contributions" means money required to be paid to the Unemployment  
11 Insurance Fund under § 8–607 of this title.

12                          (l) "Covered employment" means work that an individual performs for an  
13 employing unit that is the basis for benefits.

14                          (m) "Department" means the Maryland Department of Labor.

15                          (m–1) "Determination" means a decision made by or on behalf of the Secretary under  
16 this title.

17                          (n) (1) "Educational institution" means an institution that offers participants,  
18 students, or trainees an organized course of study or training that is academic, technical,  
19 trade–oriented, or preparatory for gainful employment in a recognized occupation.

20                          (2) "Educational institution" includes an institution of higher education.

21                          (o) "Employer" means a person or governmental entity who employs at least 1  
22 individual within the State.

23                          (p) "Employing unit" means:

24                          (1) an employer that has at least 1 employee engaged in covered  
25 employment for at least part of a day;

26                          (2) an employer that has elected to become subject to this title under §  
27 8–203 of this title; or

28                          (3) an employer that is not otherwise subject to this title but that:

(i) within the current or preceding calendar year, is liable for any federal tax against which credit may be taken for contributions required to be paid into a State unemployment fund; or

(ii) as a condition for approval for full credit of contributions against the tax imposed by the Federal Unemployment Tax Act, is required by that Act to be an employing unit.

7 (q) "Governmental entity" means:

(1) a governmental unit as defined in § 1-101 of this article; or

9 (2) an instrumentality of:

10 (i) 1 or more states;

11 (ii) 1 or more political subdivisions of a state; or

(iii) 1 or more states and political subdivisions of states.

(q-1) "Hearing examiner" means an individual appointed under § 8-502 of this title who is authorized to conduct hearings and issue decisions in cases appealed to the Lower Appeals Division.

16 (r) "Hospital" has the meaning stated in § 19–301 of the Health – General Article.

17 (s) (1) "Institution of higher education" means an educational institution that:

18 (i) is a public or other nonprofit institution;

(iii) admits as regular students only individuals with a certificate of graduation from high school or a recognized equivalent certificate for:

25                   2. work for credit toward a bachelor's degree; or

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1               (t) "Knowingly" means, except as otherwise provided in this title, having actual  
2 knowledge, deliberate ignorance, or reckless disregard for the truth.

3               (t-1) "Last known address" includes a physical address or an electronic address.

4               (u) "Lower Appeals Division" means the Lower Appeals Division of the Maryland  
5 Department of Labor.

6               (u-1) "Mailed or otherwise delivered" means to cause to be delivered by electronic  
7 transmission or physical mailing.

8               (v) "Nonprofit organization" means an organization that is:

9                      (1) described in § 501(c)(3) of the Internal Revenue Code; and

10                  (2) exempt from income tax under § 501(a) of the Internal Revenue Code.

11               (w) "Part-time worker" means an individual:

12                  (1) whose availability for work is restricted to part-time work; and

13                  (2) who worked at least 20 hours per week in part-time work for a majority  
14 of the weeks of work in the base period.

15               **(W-1)(1) "PERFORMANCE OF OFFICIAL DUTIES" MEANS:**

16                      **(I) THE ADMINISTRATION OR ENFORCEMENT OF LAW,**  
17 **INCLUDING RESEARCH RELATED TO THE LAW ADMINISTERED BY A PUBLIC**  
18 **OFFICIAL; OR**

19                      **(II) THE EXECUTION OF THE OFFICIAL RESPONSIBILITIES OF A**  
20 **FEDERAL, STATE, OR LOCAL ELECTED OFFICIAL.**

21               **(2) WITH RESPECT TO A PUBLIC OFFICIAL DESCRIBED UNDER**  
22 **SUBSECTION (W-3)(2), (3), (4), OR (5) OF THIS SECTION, "PERFORMANCE OF**  
23 **OFFICIAL DUTIES" INCLUDES, IN ADDITION TO THE ACTIVITIES SET OUT IN**  
24 **PARAGRAPH (1) OF THIS SUBSECTION, THE USE OF CONFIDENTIAL UNEMPLOYMENT**  
25 **INSURANCE INFORMATION FOR THE FOLLOWING LIMITED PURPOSES:**

26                      **(I) STATE AND LOCAL PERFORMANCE ACCOUNTABILITY**  
27 **UNDER THE FEDERAL WORKFORCE INNOVATION AND OPPORTUNITY ACT,**  
28 **INCLUDING ELIGIBLE TRAINING PROVIDER PERFORMANCE ACCOUNTABILITY**  
29 **UNDER §§ 116(D) AND 122;**

11 (W-2) "PUBLIC DOMAIN INFORMATION" MEANS:

12                   **(1) INFORMATION ABOUT THE ORGANIZATION OF THE DEPARTMENT,**  
13   **INCLUDING THE LOWER APPEALS DIVISION AND THE BOARD OF APPEALS;**

18                   (3) AN AGREEMENT OF ANY KIND OR NATURE, INCLUDING  
19 INTERSTATE ARRANGEMENTS, RECIPROCAL AGREEMENTS, AND ANY AGREEMENT  
20 WITH THE U.S. DEPARTMENT OF LABOR OR THE SECRETARY, RELATING TO THE  
21 ADMINISTRATION OF THE UNEMPLOYMENT INSURANCE PROGRAM.

**22 (W-3) "PUBLIC OFFICIAL" MEANS:**

23                   (1) AN OFFICIAL, AN AGENCY, OR A PUBLIC ENTITY WITHIN THE  
24 EXECUTIVE BRANCH OF FEDERAL, STATE, OR LOCAL GOVERNMENT THAT HAS  
25 RESPONSIBILITY FOR ADMINISTERING OR ENFORCING A LAW, OR AN ELECTED  
26 OFFICIAL IN THE FEDERAL, STATE, OR LOCAL GOVERNMENT;

(III) PUBLICLY GOVERNED AND FUNDED COMMUNITY AND  
TECHNICAL COLLEGES;

(4) THE CHIEF ELECTED OFFICIAL OF A LOCAL AREA AS DEFINED IN §  
3(9) OF THE FEDERAL WORKFORCE INNOVATION AND OPPORTUNITY ACT; AND

13                   **(5) A STATE EDUCATIONAL AUTHORITY, AGENCY, OR INSTITUTION AS**  
14                   **THOSE TERMS ARE USED IN THE FEDERAL FAMILY EDUCATIONAL RIGHTS AND**  
15                   **PRIVACY ACT, TO THE EXTENT THAT THEY ARE PUBLIC ENTITIES.**

(w-4) "REQUESTING AGENCY" MEANS AN AGENCY DEFINED IN 20 C.F.R. § 603.21.

18       **[(w-1)] (w-5)**     “Review determination” means the process by which the  
19 Department conducts an internal review of a determination made under Subtitle 6 of this  
20 title, independent of a determination or redetermination of a claim.

21       **[(w-2)] (w-6)**      “Review determination decision” means the Secretary’s final  
22 determination under Subtitle 6 of this title for which a right to a review determination is  
23 available that:

24 (1) is issued in accordance with § 8–604 of this title; and

25 (2) may be appealed in accordance with § 8–605 of this title.

26 (x) "Secretary" means the Secretary of Labor.

27 (x-1) "Send" means to cause to be delivered by electronic transmission or physical  
28 mailing.

29           (y)   (1)    “State” has the meaning stated in § 1-101 of this article.

1 adopted by the Secretary of Labor of the United States under the Federal Unemployment  
2 Tax Act or Title III of the Social Security Act.

3 (z) "Tip" means compensation that:

4 (1) an individual receives from a customer of the individual's employer  
5 while performing covered employment; and

6 (2) is included in a written statement provided to the employer under §  
7 6053(a) of the Internal Revenue Code.

8 (Z-1) (1) "UNEMPLOYMENT INSURANCE INFORMATION" MEANS  
9 INFORMATION IN THE DEPARTMENT'S RECORDS PERTAINING TO THE  
10 ADMINISTRATION OF THE UNEMPLOYMENT INSURANCE PROGRAM, INCLUDING  
11 INFORMATION OBTAINED BY THE DEPARTMENT FROM CLAIMANTS AND EMPLOYERS  
12 IN ACCORDANCE WITH THIS TITLE.

13 (2) "UNEMPLOYMENT INSURANCE INFORMATION" INCLUDES STATE  
14 WAGE REPORTS COLLECTED UNDER AN INCOME AND ELIGIBILITY VERIFICATION  
15 SYSTEM IN ACCORDANCE WITH 42 U.S.C. § 1320B-7 THAT ARE OBTAINED BY THE  
16 DEPARTMENT FOR DETERMINING UNEMPLOYMENT INSURANCE MONETARY  
17 ELIGIBILITY OR ARE DOWNLOADED TO THE DEPARTMENT'S FILES AS A RESULT OF A  
18 CROSMATCH BUT DOES NOT OTHERWISE INCLUDE THOSE WAGE REPORTS.

19 (3) "UNEMPLOYMENT INSURANCE INFORMATION" DOES NOT  
20 INCLUDE:

21 (I) INFORMATION IN THE STATE'S DIRECTORY OF NEW HIRES,  
22 UNLESS THE INFORMATION HAS BEEN DISCLOSED TO THE DEPARTMENT FOR USE IN  
23 THE UNEMPLOYMENT INSURANCE PROGRAM; OR

24 (II) THE PERSONNEL OR FISCAL INFORMATION OF THE  
25 DEPARTMENT.

26 (Z-2) "WAGE INFORMATION" MEANS INFORMATION IN THE RECORDS OF THE  
27 DEPARTMENT ABOUT:

28 (1) THE WAGES PAID TO AN INDIVIDUAL;

29 (2) THE SOCIAL SECURITY NUMBER OF THE INDIVIDUAL; AND

30 (3) THE NAME, ADDRESS, STATE, AND FEDERAL EMPLOYER  
31 IDENTIFICATION NUMBER OF THE EMPLOYER WHO PAID WAGES TO THE INDIVIDUAL.

1               (aa) (1) "Wages" means all compensation for personal services except as  
2 provided in paragraph (3) of this subsection.

3               (2) "Wages" includes:

4                         (i) a bonus;  
5                         (ii) a commission;  
6                         (iii) a tip; and  
7                         (iv) the cash value of all compensation in any medium other than  
8 cash.

9               (3) "Wages" does not include:

10                         (i) the amount of any payment made to or on behalf of an employee  
11 or any dependent of an employee under a plan or system established by an employing unit  
12 that provides for employees generally or for their dependents or for a class of employees  
13 and their dependents on account of:

14                         1. retirement;  
15                         2. sickness or accident disability payments under a workers'  
16 compensation law;  
17                         3. medical or hospitalization expenses in connection with  
18 sickness or accident disability;

19                         4. a cafeteria plan as defined in 26 U.S.C. § 125, if the  
20 payments would not be treated as wages outside a cafeteria plan;

21                         5. dependent care assistance to the extent that the  
22 assistance payments would be excludable from gross income under the provisions of 26  
23 U.S.C. § 127 or § 129; or

24                         6. death;  
25                         (ii) any amount that an employing unit pays for insurance or an  
26 annuity or into a fund to provide for a payment described in item (i) of this paragraph;

27                         (iii) any payment on account of sickness or accident disability or  
28 medical or hospitalization expenses in connection with sickness or accident disability made  
29 by the employing unit to or on behalf of an employee at least 6 calendar months after the  
30 last calendar month in which the employee worked for the employing unit;

1 (iv) any payment made to or on behalf of an employee or beneficiary  
2 of the employee:

3                                   1. from or to a trust exempt from tax under § 401(a) of the  
4 Internal Revenue Code at the time of the payment, unless the payment is made to an  
5 employee of the trust as compensation for services rendered as an employee and not as  
6 beneficiary of the trust; or

7                                   2. under or to an annuity plan that, at the time of payment,  
8 meets the requirements of § 401(a)(3) through (6) of the Internal Revenue Code;

13 (vi) any payment required from an employee under a state  
14 unemployment insurance law;

15 (vii) compensation paid in any medium other than cash to an  
16 employee for service not in the course of the trade or business of the employing unit;

(ix) any payment, including an amount paid into a fund to provide for any payment by an employing unit to or on behalf of an employee under a plan or system that an employing unit establishes that provides for employees of the employing unit generally or a class or group of employees to supplement unemployment benefits;

24 (x) any payment to an individual as compensation for serving or  
25 being called to serve on a jury; or

(xi) any payment to an individual as allowance or reimbursement for travel or other expenses incurred on the business of the employer up to the amount of expenses actually incurred and accounted for by the individual to the employer.

29           (bb) "Week" means a period of 7 consecutive days, as the Secretary sets by  
30 regulation.

31 8-110.

32                   (a) [On] SUBJECT TO FEDERAL LAW, INCLUDING 20 C.F.R. PART 603, ON  
33 request and for purposes consistent with Chapter 65 of the Acts of the General Assembly  
34 of 2021, the Department shall provide to the chief elected official of a county demographic

1 data and the addresses, occupations, and last known employers of unemployment  
2 insurance recipients who live in the county of the chief elected official.

3           **(b) [A] SUBJECT TO FEDERAL LAW, INCLUDING 20 C.F.R. PART 603,** A chief  
4 elected official of a county may:

5               (1) share the information provided to the chief elected official under  
6 subsection (a) of this section with the governing body of the county; and

7               (2) request information under subsection (a) of this section on behalf of a  
8 political subdivision within the county and provide the information to the political  
9 subdivision.

10           (c) The Secretary may adopt regulations to carry out this section, including  
11 regulations that:

12               (1) establish the circumstances under which the names of unemployment  
13 insurance recipients may be included in the information provided under subsection (a) of  
14 this section; and

15               (2) are necessary to protect the personally identifiable information of  
16 unemployment insurance recipients.

17 **8–111.**

18           **(A) FOR PURPOSES OF THIS SECTION, “FEDERAL LAW” MEANS THE**  
19 **FEDERAL LAW GOVERNING THE UNEMPLOYMENT INSURANCE PROGRAM,**  
20 **INCLUDING THE SOCIAL SECURITY ACT, THE FEDERAL UNEMPLOYMENT TAX ACT,**  
21 **AND RELATED REGULATIONS PROMULGATED BY THE U.S. DEPARTMENT OF LABOR,**  
22 **INCLUDING 20 C.F.R. PART 603.**

23           **(B) THE CONFIDENTIALITY PROVISIONS OF THIS TITLE SHALL BE**  
24 **INTERPRETED IN A MANNER THAT ENSURES COMPLIANCE WITH FEDERAL LAW.**

25           **(C) EXCEPT AS OTHERWISE PROVIDED UNDER FEDERAL OR STATE LAW,**  
26 **ANY UNEMPLOYMENT INSURANCE INFORMATION IN THE DEPARTMENT’S RECORDS**  
27 **THAT REVEALS THE NAME OR OTHER IDENTIFYING INFORMATION ABOUT AN**  
28 **INDIVIDUAL OR A PAST OR PRESENT EMPLOYER OR EMPLOYING UNIT, OR THAT**  
29 **COULD FORESEEABLY BE COMBINED WITH OTHER PUBLICLY AVAILABLE**  
30 **INFORMATION TO REVEAL ANY SUCH INFORMATION, IS CONFIDENTIAL AND MAY NOT**  
31 **BE DISCLOSED.**

32           **(D) THE CONFIDENTIALITY PROVISIONS OF THIS TITLE DO NOT APPLY TO:**

1                   (1) THE DISCLOSURE OF INFORMATION THAT IS NECESSARY FOR THE  
2 PROPER ADMINISTRATION OF THE UNEMPLOYMENT INSURANCE PROGRAM,  
3 INCLUDING THE DISCLOSURE OF INFORMATION TO A CLAIMANT AND EMPLOYER  
4 RELATED TO A CLAIM FOR BENEFITS INVOLVING THAT CLAIMANT AND THAT  
5 EMPLOYER;

6                   (2) PUBLIC DOMAIN INFORMATION; OR

7                   (3) INFORMATION COLLECTED EXCLUSIVELY FOR STATISTICAL  
8 PURPOSES UNDER A COOPERATIVE AGREEMENT WITH THE U.S. BUREAU OF LABOR  
9 STATISTICS, ANY OTHER INFORMATION TRANSFERRED TO THE U.S. BUREAU OF  
10 LABOR STATISTICS UNDER AN AGREEMENT, OR THE U.S. BUREAU OF LABOR  
11 STATISTICS' DISCLOSURE OR USE OF SUCH INFORMATION.

12                 (E) THE SECRETARY SHALL DISCLOSE CONFIDENTIAL UNEMPLOYMENT  
13 INSURANCE INFORMATION:

14                 (1) AS NECESSARY FOR THE PROPER ADMINISTRATION OF THE  
15 UNEMPLOYMENT INSURANCE PROGRAM, INCLUDING DISCLOSING INFORMATION TO  
16 A CLAIMANT AND EMPLOYER RELATED TO A CLAIM FOR BENEFITS INVOLVING THAT  
17 CLAIMANT AND THAT EMPLOYER;

18                 (2) AS OTHERWISE REQUIRED UNDER FEDERAL LAW, INCLUDING 20  
19 C.F.R. §§ 603.6(B) AND 603.22; AND

20                 (3) AS OTHERWISE PROVIDED UNDER THIS TITLE IN ACCORDANCE  
21 WITH FEDERAL LAW.

22                 (F) TO THE EXTENT NECESSARY FOR PROPER PRESENTATION OF A CLAIM,  
23 THE SECRETARY, THE LOWER APPEALS DIVISION, AND THE BOARD OF APPEALS  
24 SHALL PROVIDE CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION TO A  
25 CLAIMANT OR AN EMPLOYER AT A HEARING BEFORE A HEARING EXAMINER, A  
26 SPECIAL EXAMINER, THE SECRETARY, OR THE BOARD OF APPEALS PERTAINING TO  
27 THAT CLAIMANT AND THAT EMPLOYER.

28                 (G) AT THE SECRETARY'S DISCRETION, AND IF THE DISCLOSURE DOES NOT  
29 INTERFERE WITH THE EFFICIENT ADMINISTRATION OF THE UNEMPLOYMENT  
30 INSURANCE PROGRAM, THE SECRETARY MAY AUTHORIZE THE FOLLOWING  
31 DISCLOSURES OF CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION IN  
32 ACCORDANCE WITH FEDERAL LAW:

(3) TO A PUBLIC OFFICIAL FOR USE IN THE PERFORMANCE OF  
OFFICIAL DUTIES:

13                                 (5) TO AN AUTHORIZED REPRESENTATIVE, OTHER THAN AN  
14 ATTORNEY, OF A CLAIMANT OR AN EMPLOYER IF THE AUTHORIZED  
15 REPRESENTATIVE PRESENTS A WRITTEN RELEASE FROM THE CLAIMANT OR  
16 EMPLOYER BEING REPRESENTED:

17                   **(6) TO AN ELECTED OFFICIAL PERFORMING CONSTITUENT SERVICES,**  
18    IF THE OFFICIAL PRESENTS REASONABLE EVIDENCE, SUCH AS A LETTER FROM THE  
19    INDIVIDUAL OR EMPLOYER REQUESTING ASSISTANCE OR A WRITTEN RECORD OF A  
20    TELEPHONE REQUEST FROM THE INDIVIDUAL OR EMPLOYER, THAT THE INDIVIDUAL  
21    OR EMPLOYER HAS AUTHORIZED THE DISCLOSURE:

(7) TO AN ATTORNEY WHO IS REPRESENTING A CLAIMANT OR AN  
EMPLOYER IN AN UNEMPLOYMENT INSURANCE CLAIM; AND

28                             (I) THE THIRD PARTY OBTAINS A WRITTEN RELEASE FROM THE  
29 INDIVIDUAL OR EMPLOYER TO WHOM THE CONFIDENTIAL UNEMPLOYMENT  
30 INSURANCE INFORMATION PERTAINS;

(II) THE WRITTEN RELEASE IS SIGNED AND INCLUDES:

## **1. A STATEMENT SPECIFICALLY IDENTIFYING:**

1                   A. THE CONFIDENTIAL UNEMPLOYMENT INSURANCE  
2 INFORMATION TO BE DISCLOSED;

3                   B. THAT STATE GOVERNMENT FILES WILL BE ACCESSED  
4 TO OBTAIN THE CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION; AND

5                   C. THE SPECIFIC PURPOSE FOR WHICH THE  
6 CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION IS SOUGHT; AND

7                   2. A STATEMENT THAT CONFIDENTIAL UNEMPLOYMENT  
8 INSURANCE INFORMATION OBTAINED UNDER THE RELEASE WILL BE USED ONLY  
9 FOR THAT PURPOSE AND IDENTIFYING ALL PARTIES WHO MAY RECEIVE THE  
10 CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION DISCLOSED; AND

11                  (III) THE PURPOSE SPECIFIED IN THE RELEASE IS LIMITED TO  
12 PROVIDING A SERVICE OR BENEFIT TO THE INDIVIDUAL SIGNING THE RELEASE  
13 THAT THE INDIVIDUAL EXPECTS TO RECEIVE AS A RESULT OF SIGNING THE RELEASE  
14 OR CARRYING OUT ADMINISTRATION OR EVALUATION OF A PUBLIC PROGRAM TO  
15 WHICH THE RELEASE PERTAINS.

16                  (H) (1) THE SECRETARY MAY DISCLOSE CONFIDENTIAL UNEMPLOYMENT  
17 INSURANCE INFORMATION IN RESPONSE TO A SUBPOENA ISSUED BY A LOCAL,  
18 STATE, OR FEDERAL GOVERNMENT OFFICIAL, OTHER THAN A CLERK OF COURT ON  
19 BEHALF OF A LITIGANT, WITH AUTHORITY TO OBTAIN THE CONFIDENTIAL  
20 UNEMPLOYMENT INSURANCE INFORMATION BY SUBPOENA UNDER FEDERAL OR  
21 STATE LAW.

22                  (2) THE SECRETARY MAY CHOOSE TO PROVIDE THE CONFIDENTIAL  
23 UNEMPLOYMENT INSURANCE INFORMATION TO AN OFFICIAL UNDER THIS  
24 SUBSECTION WITHOUT THE ACTUAL ISSUANCE OF A SUBPOENA.

25                  (I) CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION  
26 DISCLOSED TO A THIRD PARTY THAT IS NOT ACTING AS AN AGENT OR THAT RECEIVES  
27 CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION FOLLOWING AN  
28 INFORMED CONSENT DISCLOSURE ON AN ONGOING BASIS, EVEN IF THE INDIVIDUAL  
29 OR ENTITY IS AN AGENT, TO A PUBLIC OFFICIAL, TO AN AGENT OR CONTRACTOR OF  
30 A PUBLIC OFFICIAL, TO A REQUESTING AGENCY AND AS REQUIRED UNDER 20 C.F.R.  
31 § 603.6(B)(1) THROUGH (4), (6), AND (7)(I), SHALL BE SAFEGUARDED AGAINST  
32 UNAUTHORIZED ACCESS AS FOLLOWS:

33                  (1) THE RECIPIENT SHALL USE THE CONFIDENTIAL UNEMPLOYMENT  
34 INSURANCE INFORMATION EXCLUSIVELY FOR THE PURPOSES FOR WHICH IT WAS

1 DISCLOSED AND CONSISTENT WITH A WRITTEN AGREEMENT WITH THE  
2 DEPARTMENT;

3 (2) THE RECIPIENT SHALL STORE AND PROCESS THE CONFIDENTIAL  
4 UNEMPLOYMENT INSURANCE INFORMATION ELECTRONICALLY AND PHYSICALLY IN  
5 SUCH A WAY TO ENSURE THAT IT IS SECURE FROM ACCESS BY UNAUTHORIZED  
6 PERSONS BY ANY MEANS;

7 (3) THE RECIPIENT SHALL UNDERTAKE PRECAUTIONS TO ENSURE  
8 THAT ONLY AUTHORIZED PERSONNEL, INCLUDING EMPLOYEES, AGENTS, AND  
9 CONTRACTORS, ARE GIVEN ACCESS TO DISCLOSED CONFIDENTIAL UNEMPLOYMENT  
10 INSURANCE INFORMATION STORED IN COMPUTER SYSTEMS;

11 (4) THE RECIPIENT SHALL INSTRUCT ALL PERSONNEL, INCLUDING  
12 ANY EMPLOYEES, AGENTS, AND CONTRACTORS, HAVING ACCESS TO THE DISCLOSED  
13 CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION ABOUT THE  
14 CONFIDENTIAL NATURE OF THE INFORMATION, THE CONFIDENTIALITY  
15 REQUIREMENTS OF FEDERAL AND STATE LAW, AND THE SANCTIONS UNDER STATE  
16 LAW FOR UNAUTHORIZED DISCLOSURE OF THE CONFIDENTIAL UNEMPLOYMENT  
17 INSURANCE INFORMATION;

18 (5) THE RECIPIENT SHALL SIGN AN ACKNOWLEDGMENT THAT ALL  
19 PERSONNEL, INCLUDING ANY EMPLOYEES, AGENTS, AND CONTRACTORS, HAVING  
20 ACCESS TO THE CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION HAVE  
21 BEEN INSTRUCTED IN ACCORDANCE WITH THIS SECTION, WILL ADHERE TO THE  
22 STATE'S CONFIDENTIALITY REQUIREMENTS AND PROCEDURES, AND AGREE TO  
23 REPORT ANY INFRACTION OF THESE REQUIREMENTS TO THE DEPARTMENT FULLY  
24 AND PROMPTLY;

25 (6) (I) THE RECIPIENT SHALL DISPOSE OF CONFIDENTIAL  
26 UNEMPLOYMENT INSURANCE INFORMATION DISCLOSED OR OBTAINED, AND ANY  
27 COPIES OF THE DISCLOSED OR OBTAINED CONFIDENTIAL UNEMPLOYMENT  
28 INSURANCE INFORMATION MADE BY THE RECIPIENT, INCLUDING BY EMPLOYEES,  
29 AGENTS, AND CONTRACTORS, AFTER THE PURPOSE FOR WHICH THE CONFIDENTIAL  
30 UNEMPLOYMENT INSURANCE INFORMATION IS DISCLOSED IS SERVED, EXCEPT FOR  
31 DISCLOSED CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION POSSESSED  
32 BY ANY COURT; AND

33 (II) THE CONFIDENTIAL UNEMPLOYMENT INSURANCE  
34 INFORMATION DISCLOSED MAY NOT BE RETAINED WITH PERSONAL IDENTIFIERS  
35 FOR LONGER THAN THE PERIOD OF TIME AS THE DEPARTMENT DEEMS  
36 APPROPRIATE ON A CASE-BY-CASE BASIS;

1                   **(7) THE RECIPIENT SHALL MAINTAIN A SYSTEM SUFFICIENT TO**  
2 **ALLOW AN AUDIT OF COMPLIANCE BY THE DEPARTMENT; AND**

3                   **(8) THE RECIPIENT, AND ANY OF ITS EMPLOYEES, AGENTS, AND**  
4 **CONTRACTORS, MAY NOT REDISCLOSE CONFIDENTIAL UNEMPLOYMENT INSURANCE**  
5 **INFORMATION EXCEPT AS SPECIFICALLY AUTHORIZED BY THE SECRETARY IN**  
6 **ACCORDANCE WITH A WRITTEN AGREEMENT.**

7                   **(J) IN ACCORDANCE WITH FEDERAL LAW, THE SECRETARY MAY AUTHORIZE**  
8 **A RECIPIENT OF CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION UNDER**  
9 **20 C.F.R. § 603.6(B)(1), (2), (3), (4), (6), OR (7)(I), 20 C.F.R. § 603.22, OR**  
10 **SUBSECTION (G)(3), (4), OR (8) OF THIS SECTION TO REDISCLOSE THE**  
11 **CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION ONLY:**

12                  **(1) TO THE INDIVIDUAL OR EMPLOYER WHO IS THE SUBJECT OF THE**  
13 **CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION;**

14                  **(2) TO AN ATTORNEY OR OTHER DULY AUTHORIZED AGENT**  
15 **REPRESENTING THE INDIVIDUAL OR EMPLOYER;**

16                  **(3) IN ANY ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDINGS FOR**  
17 **OR ON BEHALF OF A RECIPIENT AGENCY OR ENTITY;**

18                  **(4) IN RESPONSE TO A SUBPOENA ONLY AS PROVIDED IN 20 C.F.R. §**  
19 **603.7;**

20                  **(5) TO AN AGENT OR CONTRACTOR OF A PUBLIC OFFICIAL IF:**

21                      **(I) THE PERSON REDISCLOSING IS A PUBLIC OFFICIAL;**

22                      **(II) THE PUBLIC OFFICIAL RETAINS RESPONSIBILITY FOR THE**  
23 **USES OF THE CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION BY THE**  
24 **AGENT OR CONTRACTOR; AND**

25                      **(III) THE CONFIDENTIAL UNEMPLOYMENT INSURANCE**  
26 **INFORMATION REDISCLOSED IS SUBJECT TO THE SAFEGUARDS IN SUBSECTION (I)**  
27 **OF THIS SECTION;**

28                  **(6) FROM ONE PUBLIC OFFICIAL TO ANOTHER IF THE INFORMATION**  
29 **REDISCLOSED IS SUBJECT TO THE SAFEGUARDS IN SUBSECTION (I) OF THIS**  
30 **SECTION;**

31                  **(7) TO ANY AGENT OF A CHILD SUPPORT ENFORCEMENT UNIT IF:**

1                             (I) THE AGENT IS UNDER CONTRACT WITH THE UNIT FOR THE  
2 PURPOSES OF ESTABLISHING AND COLLECTING CHILD SUPPORT OBLIGATIONS  
3 FROM AND LOCATING INDIVIDUALS OWING SUCH OBLIGATIONS; AND

4                             (II) THE AGENT COMPLIES WITH THE SAFEGUARDS IN  
5 SUBSECTION (I) OF THIS SECTION; AND

6                             (8) WHEN SPECIFICALLY AUTHORIZED BY A WRITTEN RELEASE THAT  
7 MEETS THE REQUIREMENTS OF SUBSECTION (G)(8) OF THIS SECTION.

8                             (K) ANY EMPLOYEE OR FORMER EMPLOYEE OF THE DEPARTMENT, AND ANY  
9 RECIPIENT OF CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION UNDER  
10 SUBSECTION (G) OF THIS SECTION, INCLUDING ANY EMPLOYEE, AGENT, OR  
11 CONTRACTOR OF THE RECIPIENT, WHO DISCLOSES CONFIDENTIAL UNEMPLOYMENT  
12 INSURANCE INFORMATION IN VIOLATION OF THIS TITLE IS SUBJECT TO PENALTIES  
13 UNDER SUBTITLE 13 OF THIS TITLE.

14 8–625.

15                         [(d) (1) Except as provided in paragraph (2) of this subsection, the Secretary  
16 and Board of Appeals may not publish or allow public inspection of information obtained  
17 under this section in any manner that reveals the identity of the employer except to public  
18 employees in the performance of their public duties.

19                         (2) (i) The Secretary and Board of Appeals may allow inspection of  
20 information obtained under this section to any agent of a child support enforcement unit if  
21 the agent is under contract with the unit for the purposes of establishing and collecting  
22 child support obligations from and locating individuals owing such obligations.

23                         (ii) The agent of the unit shall comply with safeguards established  
24 by the United States Department of Labor and the Secretary and is subject to the penalties  
25 under § 8–1305(c) of this title.

26                         (3) To the extent necessary for proper presentation of a claim, the Secretary  
27 or Board of Appeals shall provide information from the records to a claimant at a hearing  
28 before a special examiner, hearing examiner, the Secretary, or the Board of Appeals.]

29 [8–811.

30                         (a) In this section, “claim information” means information regarding:

31                         (1) whether an individual is receiving, has received, or has applied for  
32 benefits under this title;

1                         (2) the amount of benefits an individual is receiving or is entitled to receive;

2                         (3) an individual's current or most recent home address;

3                         (4) whether an individual has refused an offer of work and if so, a  
4 description of the job offered, including terms, conditions, and rate of pay; and

5                         (5) any other information that is needed by the child support enforcement  
6 unit to verify eligibility for and the amount of benefits.

7                         (b) If an agent of a child support enforcement unit is under contract with the child  
8 support enforcement unit for the purposes of establishing and collecting child support  
9 obligations from and locating individuals owing such obligations, the Secretary and the  
10 Board of Appeals may allow the agent to inspect claim information.

11                         (c) The agent of the child support enforcement unit shall comply with safeguards  
12 established by the United States Department of Labor and the Secretary and is subject to  
13 the penalties under § 8–1305(c) of this title.]

14 8–1305.

15                         (c) (1) An employing unit or officer or agent of an employing unit who violates  
16 § 8–1303 of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine  
17 not exceeding \$1,000 or imprisonment not exceeding 1 year or both.

18                         (2) A person who violates § 8–5A–08(b) or (d) of this title is guilty of a  
19 misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment  
20 not exceeding 1 year or both.

21                         (3) A person who violates § 8–1304 of this subtitle is guilty of a  
22 misdemeanor for each day the violation continues and on conviction is subject to a fine not  
23 exceeding \$1,000 or imprisonment not exceeding 1 year or both.

24                         (4) An employee **OR FORMER EMPLOYEE** of the [Secretary or Board of  
25 Appeals] **DEPARTMENT** who **IN THE COURSE OF EMPLOYMENT OR DUTY HAS OR HAD**  
26 **ACCESS TO CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION**  
27 **MAINTAINED BY THE DEPARTMENT AND WHO** violates [§ 8–625] **§ 8–111** of this title is  
28 guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or  
29 imprisonment not exceeding 1 year or both.

30                         **(5) A PERSON WHO RECEIVES CONFIDENTIAL UNEMPLOYMENT**  
31 **INSURANCE INFORMATION UNDER THIS TITLE AND WHO REDISCLOSES, WITHOUT**  
32 **AUTHORIZATION, OR USES THE CONFIDENTIAL UNEMPLOYMENT INSURANCE**  
33 **INFORMATION FOR A PURPOSE OTHER THAN THAT SPECIFIED IN THE PROVISION OF**  
34 **LAW OR AGREEMENT AUTHORIZING THE USE OR DISCLOSURE OF THE**  
35 **CONFIDENTIAL UNEMPLOYMENT INSURANCE INFORMATION IS GUILTY OF A**

**HOUSE BILL 242**

1   **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000**  
2   **OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.**

3           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4   October 1, 2026.