COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2024 Legislative Session

Bill No. CB-088-2024

Chapter No. 83

Proposed and Presented by Council Members Dernoga, Oriadha, Olson, Hawkins, Blegay, Watson, Fisher, and Harrison

Introduced by Council Members Dernoga, Oriadha, Olson, Hawkins, Blegay, Watson, Fisher, Harrison, Ivey, and Burroughs

Co-Sponsors

Date of Introduction October 22, 2024

BILL

AN ACT concerning

Minimum Wage Indexing

For the purpose of indexing Prince George's County's minimum wage to the Consumer Price Index.

BY repealing and reenacting with amendments:

SUBTITLE 13A. LABOR CODE.

Section 13A-117

The Prince George's County Code

(2023 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 13A-117 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 13A. LABOR CODE.

DIVISION 2. MINIMUM WAGE.

Sec. 13A-117. Payment of minimum wage required.

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(g) Minimum Wage Index

(1) Subject to subsection (h) of this section and except as provided in paragraph (3) of this subsection, for the 12–month period beginning January 1, 2026, and each subsequent 12–

month period, the minimum wage rate is the minimum wage rate in effect for the immediately preceding 12–month period and the lesser of:

(A) The average percentage growth in the Consumer Price Index for the immediately preceding 12–month period, as determined by the Director of Finance under paragraph (2); or

(B) five percent (5%).

(2) Beginning September 1, 2025, and each September 1 thereafter, the Director of Finance shall determine and announce the average percentage growth, if any, in the Consumer Price Index based on the immediately preceding 12–month Period for which data is available on September 1. The Director of Finance shall utilize the Consumer Price Index for All Urban Consumers (CPI-U) for the Washington-Arlington-Alexandria area published by the Federal Bureau of Labor Statistics.

(3) If the Director of Finance determines that there is a decline or no growth in the Consumer Price Index, the minimum wage rate shall remain the same as the rate that was in effect for the immediately preceding 12–month period.

(h) Temporary Suspension of Minimum Wage Indexing Due to Negative Employment Growth.

(1) Subject to paragraph (4) of this subsection, on or before September 1, 2025, and September 1 each year thereafter, the Director of Finance shall determine whether the seasonally adjusted total employment from the Current Employment Statistics series as reported by the U.S. Bureau of Labor Statistics for the most recent 6–month period is negative as compared with the immediately preceding 6–month period and shall inform the County Council.

(2) Subject to paragraph (4) of this subsection, the County Council may temporarily suspend an increase to the minimum wage rate specified under subsection (g) of this section if the County Council determines under paragraph (1) of this subsection that the seasonally adjusted total employment is negative.

(3) If the seasonally adjusted total employment is negative, the County Council may consider the performance of County revenues in the previous 6 months, as reported by the Director of Finance, in determining whether to temporarily suspend an increase to the minimum wage rate specified under subsection (g) of this section.

(4) If the County Council temporarily suspends an increase to the minimum wage rate

specified under subsection (g) of this section:

(A) the minimum wage rate in effect for the period beginning the following January 1 shall remain the same as the rate that was in effect for the immediately preceding 12–month period;

(B) the remaining minimum wage rates specified in subsection (g) of this section shall take effect 1 year later than the date specified; and

(C) the County Council shall notify the Director of Finance that the minimum wage rate increase for the period beginning the following January 1 is suspended for 1 year.

(i) To ensure that the wages for Direct Support Professionals (DSP) are commensurate with the professional positions that they occupy, any minimum wage increases that result in the average DSP wage falling twenty percent (20%) below the minimum wage be carefully considered.

SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 19th day of November, 2024.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

BY: Jolene Ivey

Jolene Ivey
Chair

ATTEST:

Donna J. Brown

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____

Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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THE COUNTY EXECUTIVE HAVING FAILED TO RETURN THIS BILL WITH EITHER HER APPROVAL OR VETO WITHIN TEN (10) DAYS AFTER THE DATE OF ITS PRESENTATION TO HER, THIS BILL BECAME LAW ON DECEMBER 20, 2024.