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STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT “ ” to S.P. 383, L.D. 894, “An Act to Amend the Laws Governing Paid Family and Medical Leave”

Amend the bill by inserting after section 5 the following:

'Sec. 6. 26 MRSA §850-H, sub-§9 is enacted to read:

9. Refund of premium contributions. Premium contributions may be refunded pursuant to this subsection.

A. An employer that remitted premium contributions to the fund on or after January 1, 2025 and that received approval to substitute a private plan pursuant to this section before January 1, 2026 is entitled to reimbursement of all premium contributions made to the fund, together with any interest earned thereon, upon written request submitted by mail to the department. Within 30 days of receipt of an employer's written request for reimbursement of premium contributions under this paragraph, the department shall refund the employer's premium contributions to the employer, together with any interest earned thereon from the date of receipt of the request. For purposes of this paragraph, an employer's request for reimbursement is deemed to be received by the department on the date on which the employer's request for reimbursement was mailed to the department.

B. An employer that elected to deduct any portion of its premium contribution from its employees' wages as permitted by section 850-F, subsection 5 shall refund its employees for their portion of premium contributions, together with any interest earned thereon, within 30 days of receipt of the refund from the department under paragraph A.

C. Costs incurred by the department to process premium contribution refunds must be funded through existing or anticipated allocations provided to the department for administration of the program pursuant to section 850-E, subsection 4.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment allows an employer whose private plan is approved by the Department of Labor to request a refund of the premiums paid if that employer had a substantially equivalent private plan in place before January 1, 2026. The department, after verifying the amount paid by the employer, is required, within 30 days of receipt of the refund request, to refund the employer the premiums paid, plus interest that accrues to the date the refund payment is issued. It requires the employer to reimburse any employee from whom a premium was collected and submitted to the department.

The amendment also requires that costs incurred by the department to administer refunds must be absorbed using existing funding provided to the department to administer the program.

SPONSORED BY: _____

(Representative CARLOW, N.)

TOWN: Buxton